LEGAL FACETIÆ:

SATIRICAL AND HUMOROUS

BY JOHN WILLOCK

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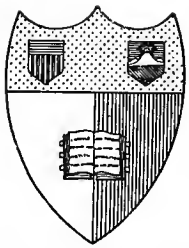

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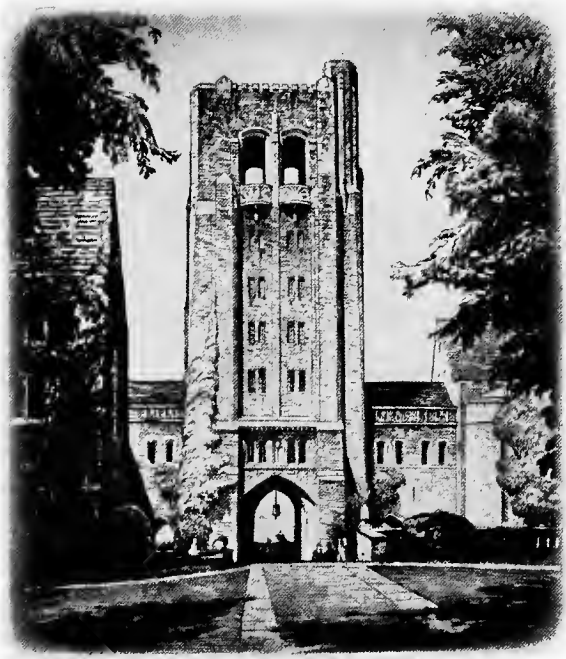

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LEGAL FACETIÆ:

SATIRICAL AND HUMOROUS.

BY

JOHN WILLOCK.

Χοτέει καὶ ἀοίδ τῳ ἀοίδω.

Vatium quoque gratia rara est.

One Wit-brother envies another.

"You will meet with many books also, which it may be sufficient to read by others, and by deputy, and to make only extracts of them."—BACON'S ESSAYS.

Johannes tuum inscribis nomine librum,
In toto libro nil melius titulo.

John, I have read your book,
And though you write ill,
I yet must praise your most judicious title.

London:

LONDON LITERARY SOCIETY,

376, STRAND.

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LEGAL FACETIÆ:

SATIRICAL AND HUMOROUS.

AN AUTHOR.—

As crafty lawyers to acquire applause,
Try various arts to get a doubtful cause,
So does an author, rummaging his brain,
By various methods try to entertain.

Pasquin.

LAW.—Is etymologically that which is "laid down," and is used in the most appropriate sense to signify some general injunction, command, or regulation addressed to certain persons who are called upon to conform to it. It is in this sense we speak of the "Law of Moses," the "Law of the Land," &c.—*Whateley.*

DR. ARNOLD AND THE LAW.—He seems to have looked upon the profession of an advocate as of necessity immoral. In the "History of Rome" he speaks of the "study of law, which is as wholesome to the human mind as the practice of it is injurious," and in one of his published letters to Sir J. Coleridge, he speaks of his "abhorrence of advocacy," and asks whether there is no way by which a man can hope to reach the position of a judge without exposing himself to the injurious influences of the bar. It is, perhaps, however, amongst the lighter class of writers that lawyers of all sorts are most hardly dealt with, and more particularly barristers. There is a piquancy in the contrast which is alleged to exist between the solemnity of the function which they claim to discharge—the administration of justice—and the disregard which their conduct is said to display for everything but the interest of their clients, which is irresistibly tempting to those who are bound to make a point of some sort or other, whatever may be the subject on which they write. There is also considerable satisfaction in taking vengeance upon men who, in the exercise of their profession, often pain and humiliate others. To represent lawyers in a newspaper article, or in a novel, in an odious or ludicrous light, is as often as pleasant to the author as it is to a junior boy to get the chance of throwing a stone with impunity at one of the tyrants of the school. The world at large is always ready to enjoy the spectacle of desolators desolate, and victors overthrown.

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THE MORALITY OF ADVOCACY.—The disregard of lawyers for truth and justice has been for many generations a standing topic of satire. The common view of the subject is expressed by Southey, with his usual neatness, in the address to Bishop Basil, which he puts into the mouth of the devil:—

"The law thy calling ought to have been
With thy wit so ready and tongue so free,
To prove by reason, in reason's despite,
That right is wrong, and wrong is right,
And white is black, and black is white—
What a loss I have had in thee!"

LAWS.—The laws that men generally refer their actions to, to judge of their rectitude or obliquity, seem to me to be three: 1. The divine law. 2. The civil law. 3. The law of opinion or reputation. By the relation they bear to the first of these, men judge whether their actions be sins or duties; by the second, whether they be criminal or innocent; and by the third, whether they be virtues or vices.

ORIGIN OF LAWS.—Laws had their first rise from the fear of violence and oppression. Jura inventa metu injusti fateare necesse est.—*Horace, Sat. III.*

MARRIAGE LAWS.—Il est public en Angleterre, et on voudroit le nier en vain, que le Chancelier Cowper épousa deux femmes, qui vécurent ensemble dans sa maison avec une concorde singulière qui fit honneur à tous trois. Plusieurs curieux ont encore le petit livre que ce Chancelier composa en faveur de la Polygamie.—*Philosophical Dictionary, Voltaire.*

From this it appears that Frenchmen maintain that the custodian of the Great Seal of England was called the "Lord Keeper," because, by English law, he was permitted to keep as many wives as he pleased.

A LAW OF VIRGINIA PASSED IN THE YEAR 1662.—Whereas many babbling women slander and scandalize their neighbours, for which their poor husbands are often involved in chargeable and vexatious suits and costs in great damages. Be it enacted that in actions of slander occasioned by the wife, after judgment passed for the damages, the woman shall be punished by ducking; and if the slander be so enormous as to be adjudged at greater damages than five hundred pounds of tobacco, then the woman to suffer a ducking for each five hundred pounds of tobacco adjudged against her husband if he refuses to pay the tobacco.

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ROMAN LAW OF SLANDER.—*Trebatius* (the most celebrated lawyer of the Augustan age): Only beware, that through ignorance of laws, you don't bring yourself into a "Præmunire." Whoever writes ill verses upon another, an action may be brought against him.

Horace: True, if he writes ill verses. *Sat. I.*

LEGAL NOMENCLATURE.—Conteurs, Latin "narratores," serjeants in gross, serjeant-counters, serjeants of the coif, justiciaries, keepers of signets, register of sasines, clerks of sessions, patentee of bankrupts (this was held by a parson, one Thurlow), masters in chancery, clerks of the hanaper, clerks of the papers, clerks of the warrants, associates of the chief justice, registrars, craners, sweepers of the mall, comptrollers of first-fruits, sealers, clerks at nisi prius, receivers of taxes, tellers, reading clerks, solicitors to the mint, cocket writers, tally office clerks, examiners in chancery, clerks of the cheque, surrogates, clerks of introitus, utter barristers, apprentices in law, prothonotaries, remembrancers, tectimonies, correctors of the staple, filacers, clerk of outlawries, cursitor barons, escheators (now known as "cheatters"), barretors, clerk of the pipe (accounts went through his hands like water from a pipe), clerk of the estreats, the foreign opposer, the green wax clerk, tellers, clerks of the pells (peler, to peal or skin), clerks of the nihils, clerks of the pleas, clerks of the summons, under-chamberlains of the exchequer, secondaries of the pipe, marshals, chamberlains that keep the keys, hatchmen, sumners, i.e. summoners, hundredors, dozeneers, vintaineers, keys, anciently called "taxiaxi," cozeners, ingrossers, barons, serjeants at mace, bailiwicks, ushers of the black rod, fee gatherers, constables, clerks of the market, serjeant of the wood-yard, the serjeant farrier, the bedells, serjeants, catchpoles, pursuivants, messengers, apparitors, ushers, door-keepers, pettyfoggers, attornies, proctors, commissioners, justices of the peace, judge delegates, arbitrators, overseers, sequestrators, advocates, inquisitors, jurors, searchers, prenotaries, secondaries, examiners, affeerers, bound bailiffs, compurgators, justiciars, parceners, petty bag clerks, notaries, tabellions, scribes, expedanean judges, benchers, proctors, barristers, jurists, a jurisconsult, a publicist, equity draughtsmen, notary public, scriveners, solicitor, marshal, pundit, green bag carriers, riding clerks, gownsmen, cirquiteers, clerks of the arraigns, zygostatas, exigenters, the custos brevium, chirographers, and lastly, escheators of the Jews.

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"Si mala condident in quem,
Quis carmina jus est
Judiciumque. Esto, si quis mala."

This is the law of the Twelve Tables, which made it death to hurt the reputation of another.

The words of the law run thus:—Si quis accentasset malum carmen, sive condidisset, quod infamiam malum carmen sive condidissit, quod infamiam faxit, flagiliumque alteri, capital esto.

LAW—Is to the litigant what the poulterer is to the goose: it plucks, and it draws him; but here the simile ends, for the litigant, unlike the goose, never gets trust, although he may be roasted and dished.

LAWS IN GENERAL.—Now all laws in their primary view are either divine or human, i.e. from God or man. Divine laws are eternal, such as we suppose to partake of the nature of God, and the invariable rule of His actions. As for human laws they are such as relate to mankind in general, and are agreed upon by people of all nations. Human laws should be based on the fundamental principle of establishing religion, peace, and order.

LAWS IN PARTICULAR.—"Laws grind the poor, and rich men rule the laws."—*Goldsmith.*

LAWYERS.—Clients find Scripture fulfilled in them, that it is better to part with a coat, than go to law for a cloke too: for as the best laws are made of the worst manners, even so are the best lawyers of the worst men. They hum about Westminster Hall, and return home with their pockets like a bee with his thighs laden; and that which Horace says of the ant, "Ore trahit quodcunque potest, atque addit acervo," is true of them, for they gather all their heaps with the labour of their mouths, rather than their brains and hands.

A LAWYER ON MARRIAGE.—My "prochaine amie" is a girl of eighteen years old, beautiful as a houri; but, alas! she has not only "nulla bona" of which I could have an immediate "habere facias possessionem," but unfortunately "nil habuit in tenementis," or I do not know that I would not perpetrate marriage with her, "nunc pro tunc;" but really I have no idea of committing an unprofessional, and, I may add, ungentlemanlike "misjoinder" with poverty. If I cannot live in proper style when married, and as becomes a person of my legal persuasion, I prefer not having "an attachment" at all, which in such a case would be literally, as well as

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figuratively, "a criminal proceeding." Matrimony is a great "limitation" of action; it is very apt to involve a man in that most disagreeable and disreputable affair, "a distress for rent;" and what, perhaps, is still more fatal to his success in life, to being frequently "overruled," and having his "judgment reversed," without even the usual formalities of "cause shown."

But if I could find a girl (and I say this in the strictest confidence of "professional secrecy") who had never "given a cognovit" to any other "practitioner," and who could convince me that "nil debet," that she had in her own and not "autre droit," a sufficient quantity of "assets," and a respectable sum of money in hand, arising from some good and valid "last will and testament," in addition to an "estate in tail;" why then, let me "confess" at once, that if this were the case, and "si me fecerit securum," I should make no objection to a "procedendo," and bringing the suit to "issue" at once, without waiting for leave of "principals." It is a way of getting into "the stocks" at once legal and honourable: and of all money I know of, none is so easy to be obtained, or so pleasant to spend, as matri "money."

The "usual costs" arising from marriage "mensâ et thoro" are not easy to be conceived; and although I have reason to believe I shall begin life, yet I have no wish to terminate it "in formâ pauperis;" for you must admit that there is a wide difference between having "bills taxed" (a species of amusement to which you never "except") and being "taxed with bills." At present, therefore, I am not disposed to give my fair one a "notice of trial," but rather to insist on "a non-pros."

Talking of pleadings puts me in mind of an "issue" joined with a shark which we "capiased" to-day. In the first attempt he made "an escape," but was "retaken" on a "new trial." He is one of that species which sailors call "honest lawyers;" he was dreadfully convulsed (though not with laughter), and struggled to rescue himself for a long time, nor ceased till he died; but "actio personalis moritur cum persona."

A PRISON.—It should be Christ's Hospitall, for most of your wealthy citizens are good benefactors to it; and yet it can hardly be so, because so few in it are kept upon almes. Charities house and this, are built many miles asunder. One thing, notwithstanding, is here praiseworthy, for men in this persecution cannot chuse but prove good Christians; in that they are a kind of martyrs, and suffer for the truth. And yet it is so cursed a peece of land, that the sonne is ashamed to be his father's heire in it.

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It is an infected pest-house all the yeare long: the plague-sores of the law are the diseases here wholley reigning.

The surgeons are atturnies and pettifoggers, who kill more than they cure. "Lord have mercy on us," may well stand over these doors, for debt is a most dangerous and catching city pestilence.

Some take this place for the walks in Moore-fields (by reason the madmen are so neare) but the crosses here and there are not alike. No, it is not halfe so sweet in ayre, for it is the dung-hill of the law, upon which is thrown the ruins of gentry, and the nasty heapes of voluntary decayed bankrupts, by which means it becomes to bee a perfect medall of the iron age, sithence nothing but gingling of keyes, rattling of shackles, bolts and grates are here to be heard. It is the house of Troy, in whose womb are shut up all the mad Greeks that were men of action. The nullum vacuum (unlesse in prisoners' bellies) is here truly to be proved. One excellent effect is wrought by the place itselfe, for the arrantest coward breathing, being posted hither, comes in three dayes to an admirable stomack.

Does any man desire to learne musick? Every man here sings lachrymæ at first sight, and is hardly out, he runnes division upon every note; and yet (to their commendations bee it spoken) none of them (for all that division) doe trouble the Church. They are no Anabaptists; if you aske under what horizon this climate lyes, the Bermudas and it are both under one and the same height. And whereas some suppose that this iland (like that) is haunted with divels, it is not so; for those divels (so talked of) are none else but hoggish jaylors. Hither you need not sayle, for it is a ship of itselfe: the master's side is the upper deck. They in the common jayle lye under hatches, and helpe to ballast it.

Intricate cases are the tacklings, executions the anchors, capiasses the cables, chancery bils the head sayles, a long terme the mast, law the helme, a judge the pylot, a councel the purser, an attourney the boatswain, his fleeting clark the swabber, bonds the waves, outlawries gusts, the verdicts of juries rough winds, extents the rocks that split all to peeces. Or, if it be not a ship, yet this and a ship differ not much in the building; the one is a moving misery, the other a standing. The first is seated on a spring, the second on piles. Nothing is to be seene in any roome, but scurvy beds and bare walls.

But (not so much to dishonour it), it is an university of poore schollars, in which three arts are chiefely studied—to pray, to curse, and to write letters.—*Sir Thomas Overbury.*

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QUEEN ELIZABETH'S VERSES, WHILE PRISONER AT WOODSTOCK.—

(*Writ with charcoal on a shutter.*)

Oh, fortune, how thy restlesse wavering state
  Hath fraught with cares my troubled witt!
And witness this present prisonn, whither fate
  Could beare me, and the joys I quitt.
Thou causedest the guiltie to be losed
From bondes, wherein are innocents inclosed,
Causing the guiltless to be straite reserved,
And freeing those that death hath well deserved.
But by her envie can be nothing wroughte,
So God send to my foes all they have thoughte.
  A.D. MDLV.

ELIZABETHE, Prisonner.

Ver. 4. "Could beare" is an ancient idiom, equivalent to "Did bear," or "Hath borne."

Bear me to prison, where I am committed.

Measure for Measure.

THE ANTIQUITY OF LAWS—May make them respectable, but it cannot alone be deemed a sufficient reason to prevent them from being altered or abrogated; for were this the case, by parity of reasoning, some of the most absurd customs in the world might claim validity; and yet none can deny that an error of two or three thousand years ought to be as much exploded as one of two or three days. Sir John Fortescue traces the origin of the English laws beyond the foundation of Rome, and affirms that neither the Romans, Saxons, Danes, or Normans altered them. But were they still more ancient, they might not all be good; or supposing them, for the sake of argument, to be all good, they would still be liable to abuses.

THE LEGAL YEAR.—The Roman year was left to the management of the pontifices, who grossly neglected to make the proper intercalations, and sometimes wholly omitted them; and also, through favour or ill-will, intercalated more or fewer days to keep some longer in the judicial offices, and to dismiss others from them. This partiality and corruption had in time made such confusion in the Roman Calendar that Julius Cæsar resolved to lay aside the intercalary months, and to reduce the months to the course of the sun only, and to add an intercalary day every fourth year. Therefore, to reform this confusion, Julius Cæsar, being then Pontifex Maximus, used the assistance of Sosigenes, an Alexandrian astronomer,

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and other learned mathematicians; and by adding two months containing sixty-seven days, which are called the first and second intercalary months, as appears from Cicero, and inserted between November and December, and adding also the second Merkedonius, or old intercalary month of twenty-three days, as Censorinus relates, to the lunar months of 355 days, he thereby formed a year of fifteen months, as Suetonius observes, which contained 445 days, and ended the last day of December completed, or the first day of January, beginning when Cæsar entered into his fourth consulship, as Censorinus informs us. (Ex hoc anno ita Julio Cæsare ordinato, cæteri ad nostram memoriam Juliani appellantur: iique consurgunt cxiv. Cæsaris consulatu. De die Natal. c. xx.); which was in the year before Christ 45. This was called the year of confusion. The last Roman year of confusion, consisting of fifteen months, or 445 days, in the year before Christ 46, began on the 1st day of January, and ended on the last day of December, as follows, viz.:—

	Days.
1. January	29 (commenced Oct. 13th)
2. February	23
3. Intercalary Merkedonius	23
Five last days of Feb. added	5
4. March	31
5. April	29
6. May	31
7. June	29
8. July	31
9. August	29
10. September	29
11. October	31
12. November	29
13. First intercalary month	34
14. Second ditto	33
15. December	29
Total	445

Now 445 days reckoned backwards from the 1st of January by solar Julian months, end on the 13th day of October in the second preceding year; so the first day of January was, in the year preceding the reformed Julian year, got into the place of the 13th of October, when Julius Cæsar entered upon his third consulship; and this year, by the addition of ninety days, was set forward, and the months brought to their proper signs and seasons. When he entered upon his fourth consulship on the 1st day of January in the year before Christ 45, on which day

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it was new moon," the reformed Julian year stood as follows:—

	Days.	
1. January	31	Juno
2. February	28	Neptune
3. March	31	Minerva
4. April	30	Venus
5. May	31	Apollo
6. June	30	Mercury
7. July	31	Jupiter
8. August	31	Ceres
9. September	30	Vulcan
10. October	31	Mars
11. November	30	Diana
12. December	31	Vesta
	365	
Bissextile	1	
	366	

A LEGAL FAVOUR.—In one of the many official excursions made by boat to Ramsgate some celebrated dignitaries of the Bench were participators. When the steamer had fairly got out of the Thames into the sea, the latter became very rough, and the vessel pitched fearfully. Judge H——s was taken violently with sea-sickness. As he was retching over the side of the vessel and moaning aloud in his agony, the Chief Justice K——n stepped gently to his side, and, laying a soothing hand on his shoulder, said, "My dear H——s, can I do anything for you? Just suggest what you wish." "I wish," said the sea-sick Judge, "your lordship would overrule this motion."

REGISTRARS OF CIVIL COURTS.—"I am curious to know" said the student (Zamballo), "what that man in a night-cap and dressing-gown is about. He is writing very studiously, and near him is a little black figure, who occasionally guides his hand." "He is a Registrar of the Civil Law Courts," replied the Demon; "and to oblige a guardian is, for a consideration, altering a decree made in favour of the ward; the gentleman in black, who seems enjoying the sport, is Griffael, the registrar's devil." "Griffael, then," said the student, "is a sort of deputy to Flagel; for, as he is the spirit of the bar, the registrars are doubtless included in his department." "Not so," replied Asmodeus; "the registrars have been thought deserving of their own peculiar demon, and I assure you they find him quite enough to do."—*René Le Sage.*

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SONG ON THE VENALITY OF THE JUDGES (Temp. Ed. I.).—

Sunt justitiarii,
Quos favor et denarii
Alliciunt a jure;
Hii sunt nam bene recolo,
Quod censum dant diabolo,
Et serviunt hii pure.
Nam jubet lex naturæ,
Quod judex in judicio
Nec prece nec pretio
Acceptor sit personæ;
Quid, Jhesu ergo bone,
Fiet de judicibus,
Qui prece vel muneribus
Cedunt a ratione?

Revera tales judices
Nuncios multiplices
Habent;—audi quare.
Si terram vis rogare,
Accedet ad te nuncius,
Et loquitur discretius,
Dicens, "Amice care,
Vis tu placitare?
Sum cum justitario
Qui te modo vario
Possum adjuvare;
Si vis impetrare
Per suum subsidium,
Da michi dimidium
Et te volo juvare."

Ad pedes sedent clerici,
Qui velut famelici
Sunt, donis inhiantes;
Et pro lege dantes,
Quod hii nihil dederint,
Quamvis cito venerint,
Erunt expectantes.

Sed si quædam nobilis,
Pulchra vel amabilis,
Cum capite cornuto
Auro circumvoluto,
Accedat ad judicium,
Hæc expedit negotium
Ore suo muto.

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Si pauper muliercula,
Non habens munuscula,
Formam neque genus,
Quam non pungit Venus,
Infecto negotio
Suo pergit hospitio,
Dolendo corde tenus.

There are judges, whom partiality and bribes seduce from justice: these are they, I remember well, that pay toll to the devil, and they serve him alone. For the law of nature commands that a judge in giving judgment should not be an acceptor either for prayer or money; what therefore, O good Jesus, will be done with the judges, who for prayers or gifts recede from what is just? In fact such judges have numerous messengers;—listen for what purpose. If you wish to claim land, a messenger will come to you, and speak in confidence, saying, "Dear friend, do you wish to plead? I am one who can help you in various ways with the judge; if you wish to obtain anything by his aid, give me half, and I will help you." At his feet sit clerks, who are like people half famished, gaping for gifts; and proclaiming it as law, that those who give nothing, although they come early, will have to wait. But if some noble lady, fair and lovely, with horns on her head, and that encircled with gold, come for judgment, such a one despatches her business without having to say a word. If the woman be poor, and has no gifts, neither beauty nor rich relationship, whom Venus does not stimulate, she goes home without effecting her business, sorrowful at heart.

LAW AND COMMON SENSE—Are too often at variance. Law and common sense are absolutely at variance as regards leaseholders. A leaseholder's time was up, and he found that his landlord wanted immediately to pull his house down. Hearing this he refused to put it into tenantable repair—not seeing the use of painting, papering, and decorating a doomed tenement. The landlord insisted; and the tenant still declined. The tenant went out; the house was immediately pulled down, and all the decorations would have been lost with it had it been restored; yet the landlord is able to step in and recover from the tenant a sum of 100*l.* It would not have benefited the landlord had that money been expended on the house; it would have been so much sheer waste and loss. But the Court of Queen's Bench would not take that into account. Truly lawyers are a remarkable people.

SWIFT'S THOUGHTS ON LEGAL HANGING—Which may happen at any time, either for robbing your master, for house-

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breaking, or going upon the highway, or in a drunken quarrel by killing the first man you meet, either through love of good fellowship, a generosity of mind, or too much vivacity of spirits. Let nothing prevail on you to confess, but the promise of a pardon for betraying your comrades; if you escape now, your fate will be the same another day. Get a speech made for you by the best author of Newgate; some of your kind wenches will provide you with a holland shirt and white cap, crowned with a crimson or black ribbon; take leave cheerfully of all your friends, mount the cart with courage, fall on your knees, lift up your eyes, hold a book in your hands, although you cannot read a word; deny the fact on the gallows! Kiss and forgive the hangman, and so farewell.

PIPE.—Pipa in law, is a roll in the Exchequer, called also the great roll. Pipe office, is where the Clerk of the Pipe makes out leases of Crown Lands; he also makes up all accounts of sheriffs. Spelman thinks it is so called because the papers were kept in a large cask or pipe.

MR. SERJEANT BETTESWORTH AND DEAN SWIFT.—

"Thus at the Bar, the Booby Bettesworth,
Though half-a-crown o'erpays his sweat's worth,
Who knows in law nor text nor margent,
Calls Singleton his brother Serjeant!"

Bettesworth was a notorious Dublin lawyer, and it is said swore to take Swift's life. He presented himself at the deanery. The Dean asked his name. "Sir, I am Serjeant Bett-es-worth!" "In what regiment, pray?" asked Swift.

A SOLICITOR'S OPINION.—It is told of a popular solicitor that he called upon another brother of the profession, and asked his opinion upon a certain point of law. The lawyer to whom the question was addressed drew himself up and said, "I generally get paid for what I know!" The questioner took half-a-crown from his waistcoat pocket, handed it to the other, and coolly remarked, "Tell me all you know, and give me the change!"

LEGAL SWEARING.—A Liverpool woman, to relieve her husband, who was charged with cutting off the end of her nose, swore before the magistrate that she bit it off herself.

NOTHING IS IMPOSSIBLE—To him who wills, say the philosophers. No, nor to the lawyer who conducts the case.

A LAWYER'S POINT OF VIEW.—The people most sought after are those who do not pay their debts.

A TRUISM.—Justice pleaseth few in their own house.

AN OATH.—Ye shall sweare—if any lepper, faitour, or mighty beggar bee dwelling within youre ward.

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BROW-BEATING.—

Brow-beat the evidence, turn black to white,
Hoodwink the jury by sophistic flight,
Hear innocence condemned; what need'st thou care?
Sable's thy robe; well fitted to impart
The sabler dye that stains thy callous heart,
Glutted with gold, by fell extortion got,
Thy darling principle is self alone;
The cries of injured, and the pris'ner's groan,
Ne'er urge thee to commiserate their lot.

This plan of brow-beating, or, speaking more properly, frightening a witness out of his wits, which is merely substituting one letter for another, making him "wit-less" instead of "wit-ness," is now reduced to a regular system; consequently the grand art of counsel at present is, not only to force an upright man to commit perjury by this species of tongue-baiting, but also cause a verdict to be given against the party who has justice on his side.

LEGAL OR ILLEGAL PUNISHMENT OF THE LEARNED.—Imprisonment seems not much to have disturbed the man of letters in the progress of his studies.

It was in prison that Boethius composed his excellent book on the "Consolations of Philosophy."

Grotius wrote in his confinement, his "Commentary on St. Matthew."

Buchanan, in the dungeon of a monastery in Portugal, composed his excellent "Paraphrases on the Psalms of David."

Pelisson, during five years' confinement for some state matters, pursued with ardour his studies in the Greek language, and produced several good compositions.

Michael Servantes composed the best and most agreeable book in the Spanish language during his captivity in Barbary.

"Fleta," a well-known and very excellent little law production, was written by a person confined in the Fleet Prison for debt whose name has not been preserved.

Louis the Twelfth, when he was Duke of Orleans, being taken prisoner at the Battle of St. Aubin, was confined in the tower of Bourges, and applying himself to his studies, which he had hitherto neglected, he became an able and enlightened monarch.

Margaret, Queen of Henry the Fourth, King of France, confined in the Louvre, pursued very warmly the studies of elegant literature; and composed a very skilful apology for the irregularities of her conduct.

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Charles the First, during his cruel confinement at Holmsby, wrote that excellent book, entitled, "The Portrait of a King," which he addressed to his son, and in which the political reflections will be found not unworthy of Tacitus. The work has, however, been attributed to a Doctor Gauden, a blatant Radical of that period, but who was incapable of writing a single paragraph of it.

Queen Elizabeth, while confined by her sister Mary, wrote some very charming poems, which we do not find she ever could equal after her enlargement; and Mary Queen of Scots, during her long imprisonment by Elizabeth, produced many pleasing compositions.

Sir Walter Raleigh produced, in his confinement, his "History of the World."

EATING A CITATION.—

Harpool. Marry, sir, is this process parchment?

Sumner. Yes, marry it is.

Harpool. And this seal wax?

Sumner. It is so.

Harpool. If this be parchment, and this be wax, eat you this parchment and wax, or I will make parchment of your skin, and beat your brains into wax. Sirrah Sumner, despatch —devour, sirrah, devour.

Sumner. I am my Lord Rochester's Sumner—I came to do my office, and thou shalt answer it.

Harpool. Sirrah, no railing, but betake thyself to thy teeth. Thou shalt eat no worse than thou bringest with thee. Thou bringest it for my Lord; and wilt thou bring my Lord worse than thou wilt eat thyself?

Sumner. Sir, I brought it not for my Lord to eat.

Harpool. Oh, do you sir me now? All's one for that; I'll make you eat it for bringing it.

Sumner. I cannot eat it.

Harpool. Can you not? 'Sblood, I'll beat you until you have a stomach. (*Beats him.*)

Sumner. Oh, hold, hold, good Mr. Serving-man; I will eat it.

Harpool. Be champing, be chewing, sir, or I will chew you —tough wax is the purest of honey.

Sumner. The purest of honey? O Lord, sir, oh! oh!

Harpool. Feed, feed; 'tis wholesome, rogue, wholesome. Cannot you, like an honest Sumner, walk with the devil, your brother, to fetch in your bailiff's rents, but you must come to a nobleman's house with a process? If the seal were as broad as the lead which covers Rochester Church, thou should'st eat it.

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Sumner. Oh, I am almost choked—I am almost choked!
Harpool. Who's within there? Will you shame my Lord? Is there no beer in the house, I say!

Enter BUTLER.

Butler. Here, here.
Harpool. Give him beer. Tough old sheep-skin's but dry meat.—*Sir John Oldcastle.*

Harpool was the servant of Lord Cobham.

HYMN TO THE PILLORY.—

But justice is inverted when
Those engines of the law,
Instead of pinching vicious men
Keep honest ones in awe;
Thy business is, as all men know,
To punish villains, not to make men so.

Whenever then thou art prepared
To prompt that vice thou shouldst reward,
And by the terrors of thy grisly face,
Make men turn rogues to shun disgrace;
The end of thy creation is destroy'd,
Justice expires, of course, and law's made void.

Thou like the devil dost appear
Blacker than really thou art far,
A wild chimeric notion of reproach,
Too little for a crime, for none too much;
Let none the indignity resent,
For crime is all the shame of punishment.

Thou bugbear of the law, stand up and speak,
Thy long misconstrued silence break,
Tell us who 'tis upon thy ridge stands there
So full of fault, and yet so void of fear,
And from the paper on his hat,
Let all mankind be told for what.

Composed by Defoe whilst standing in this instrument of legal torture.

THE PLAIN DEALER, i.e. THE SEA-CAPTAIN MANLY, meets with a lawyer, and they converse, in this way:—

Manly. Here's a lawyer I know threatening us with another greeting.
Lawyer. Sir, sir! your very servant; I was afraid you had forgotten me.
Manly. I was not afraid you had forgotten me!

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Lawyer. No, sir, we lawyers have pretty good memories.

Manly. You ought to have by your wits.

Lawyer. Oh, you are a merry gentleman, sir; I remember you were merry when I was last in your company.

Manly. I was never merry in your company, Mr. Lawyer, sure.

Lawyer. Why, I am not sure you joked upon me, and shammed me all night.

Manly. Shammed! prithee, what barbarous law-term is that?

Lawyer. Shamming! Why don't you know that? 'Tis all our way of wit, sir.

Manly. I am glad I don't know it then. Shamming, what does he mean by it, Freeman?

Freeman. Shamming is telling an insipid, dull lie with a dull face, which the sly wag, the author, only laughs at himself; and making himself believe 'tis a good jest, puts the sham only on himself.

"DRENGAGE" was a servile tenure, which obliged the landholder to cultivate the lord's land, reap his harvest, feed his dog and horse, and attend him in the chace.

MAIDEN OF MORTON.—A species of guillotine which the Regent Morton brought down from Halifax. He was the first who suffered by the engine.

LAWS.—Good laws should execute themselves in a well-regulated state; at least if the same legislature which provides the laws doth not provide for the execution of them.

A SUMPTUARY LAW—Was made by the Romans, among many others, for the suppression of luxury, and was published in the third year from Cato's censorship.

WATCHES.—Judgments like watches—none go just alike.

COMMITTEE OF SAFETY.—Some were for abolishing all laws but what were expressed in the words of the Gospel; for destroying all magistracy and government, and for extirpating those who should endeavour to uphold it.—*Whitelock.*

> Some were for the Gospel and massacres,
> Others for spiritual affidavit makers.
>
> *Hudibras.*

LAW—Is like a fire; and those that meddle with it may chance to "burn their fingers."

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SHAKESPEARE AND LAW TERMS.—

"—— For what in me was purchased,
Falls upon thee in a much fairer sort."

King Henry IV., Pt. II.

"Unless the devil have him in fee-simple,
With fine and recovery."

Merry Wives of Windsor.

"He is rested on the case."

Comedy of Errors.

"—— With bills on their necks,
Be it known unto all men by these presents."

As You Like It.

"—— Who writes himself Armigero,
In any bill, warrant, quittance, or obligation."

Merry Wives of Windsor.

"Say, for non-payment the debt should double."

Venus and Adonis.

"But the defendant doth that plea deny;
To 'cide his title, is impanelled
A quest of thoughts."

Sonnet 46.

"And let my officers of such a nature
Make an extent upon his house and lands."

As You Like It.

"He was taken with the manner."

Love's Labour Lost.

"Enfeoff'd himself to popularity."

King Henry IV., Pt. I.

"He will seal the fee-simple of his salvation, and cut the entail from all remainders, and a perpetual succession for it perpetually."—*All's Well that Ends Well.*

"Are these precepts served?" says Shallow to Davy.

King Henry IV.

"Tell me what state, what dignity, what honour,
Canst thou demise to any child of mine?"

King Richard III.

HOPE.—Many in the hope of success are led into law-suits, from which they are unable to extricate themselves.—*Ammianus Marcellinus*, lib. xxx. cap. 4.

THE WISDOM OF LAWYERS—Is such, that however they may seem to quarrel at the bar, they are the best of friends the moment they leave the court.

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LAWS OF ENGLAND.—The most ancient treatise on this subject now extant is the "Tractatus de Legibus et Consuætudinibus Regni Angliæ."—*Ranulph de Glanville*, Henry II.

In 1781 it was no longer death to take a falcon's egg out of the nest, nor was it a hanging matter to be thrice guilty of exporting live sheep.

In 1816, Mr. Townsend, the well-known Bow-street Runner, stated before a Parliamentary Committee, that he had twice seen forty hanged at one time.

In 1825 the last person was hanged for forgery—Mr. Mynard.

In 1802 upwards of 200,000 writs were issued for arrests of debtors in the kingdom, for sums varying from fourpence to 500*l.* and upwards. 15,000 were issued in Middlesex alone.—*Neild.*

In 1803 there were in Newgate gaol as prisoners 391 children.—*Neild.*

In 1833 sentence of death was passed on a child of nine, who had poked a stick through a patched-up pane of glass in a shop window, and, thrusting his little hand through the aperture, had stolen fifteen pieces of paint, worth twopence. The lawyers construed this into "house-breaking," the principal witness being another child of nine, who "told" because he had not his share of the paint.

In 1823, prisoners for assize at one county gaol were double ironed on first reception, and thus fettered, were at night chained down in the bed, the chain being fixed to the floor of the cell and fastened to the leg-fetters of the prisoners. This chain was of sufficient length to enable them to raise themselves in bed. The cell was then locked, and the prisoners continued thus chained down from seven in the evening till six next morning. The double irons for the untried prisoners varied in weight from ten to fourteen pounds.

Buxton.

Executions at Tyburn were generally once a month.

In 1825 women were put on the treadmill.

TORTURE AND THE LAW.—It is a singular fact, that as late as the reign of Charles II., a legal writer could be found openly to defend the use of torture in judicial proceedings. There is a tract entitled "The Law of all Laws," or the "Excellency of the Civil Law above all human laws whatsoever," by Sir Robert Wiseman, Knight, Doctor of the Civil Laws, 1664. This Christian luminary enters into an

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elaborate examination of the subject, and argues it in a manner which, if the reader was not indignant with its atrocious spirit, he would be amused with its folly.

It is curious to observe the legal advocates of the rack, the pulley, the wheel, heading, tormenting, dismembering, either arm or leg, and impaling, using precisely the same arguments which some of the supporters of the whip and treadmill employ at the present day. "Sane hic juris rigor," says Mestertius (si ubiquis sit), "solitate publicâ compensatur;" "for by the terror thereof," adds Sir Robert Wiseman, "it is free from the machinations of wicked and lewd men."

THE ADVANTAGE OF A NON-SUIT.—

Full twenty years, through all the courts,
One craving process George supports.
You're mad, George,—twenty years you're mad,
A non-suit's always to be had.

LEX TALIONIS.—Maxentius, coming with an army against Constantine, to deceive him and his army he caused his soldiers to make a great bridge over the Tiber, where Constantine should pass, and cunningly laid planks upon the ships, that when the enemy came upon the planks, the ships should sink, and so drown the enemy. But Maxentius hearing of Constantine's sudden approach, in a rage rushed out of the gates of Rome, and commanded his followers to attend him, and through fury, forgetting his own work, led a few over his bridge; and the ships sinking, himself and his followers were all drowned. This is Lex talionis: "Neque enim lex justior ulla est," than that he which breweth mischief, should have the first draught of it himself.—*Eusebius*, lib. ix, cap. 9.

SIR GODFREY KNELLER—An eminent justice of the peace, who decided much in the manner of Sancho Panza.

I think Sir Godfrey should decide the suit,
Who sent the thief who stole the cash away,
And punish'd him that put it in his way.—*Pope.*

"RUE" was sprinkled in front of the dock at Mrs. Manning's trial. She threw it at the Bench.

MONEY-LENDING.—"Ah, sir," says Ramilie, "it is a terrible thing to borrow money; a man must have dealt with the devil to deal with a scrivener."—"*The Miser*," *Fielding.*

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"THE PUISNE JUDGE" was formerly called the "Tell Clock," as supposed to be not much employed, but listening how the time went.

A LEGAL FEE.—The value of thirteen pence half-penny, in a coin called a "Thirteener," was the sum the State had to pay to the hangman for cropping peoples' ears off.

A LAWYER SOLD.—A citizen of Araldo borrowed twenty ducats from a lawyer. As the citizen refused to pay at the time he promised, and as no evidence existed of the loan, he is summoned at the solicitation of the lawyer, to be examined before the podestã.

He alleges to his creditor, as an excuse for not appearing, that his clothes are in pawn, an obstacle which the lawyer removes by lending him a cloak. Thus equipped he proceeds to the hall of justice, and is examined apart from his creditor.

He positively denies the debt, and attributes the charge to a strange whim which has lately seized the lawyer of thinking everything his own property. "For instance," continues he, "if you ask him whose mantle this is I wear, he will instantly lay claim to it." The lawyer being called in and questioned, answers of course as his debtor foretold, and is in consequence accounted a madman by all who are present. The judge orders the poor man to be taken care of, and the defendant is allowed to retain both the ducats and the mantle.—*Sabadino Delli Arienti.*

JEFFERIES.—Very few men, even lawyers of the time, surpassed this judge in turpitude and effrontery.—*Macaulay.*

EPITAPH ON A LAWYER NOTED FOR USURY.—

Ten in the hundred lies here engrav'd,
'Tis an hundred to ten his soul is not sav'd,
If any man ask who lies in this tomb,
Oh! oh! quoth the devil, 'tis my John O'Coombe.

PRO RE NATA.—Cicero: "For special business." "A pro re natâ meeting of the court was held on Monday:" that is, "&c., &c., for special business was, &c., &c., &c." "This sovereign can imprison, scourge, shoot or hang his dear subjects 'pro re natâ,' without troubling himself about ulterior considerations:" that is, "as occasion serves, calls for."

THOMAS PARR AND THE LAW.—One thing remarkable about this old man is, that at the age of 130, a prosecution was entered against him in the Spiritual Court for bastardy, and with such effect that he did penance publicly in the church for that offence.

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"PRO SALUTE ANIMÆ."—"For the health or safety of the soul." A phrase in use in the Ecclesiastical Courts.

SHAKESPEARE AND TYBURN.—The gallows there is alluded to in *Love's Labour Lost*, and it existed as early as the time of Henry IV. Jack Sheppard was executed there, in the presence, it is said, of about 200,000 persons. The last execution that took place at Tyburn was in 1783.

A SATIRICAL EPIGRAM sent across the court by a barrister to a beautiful lady.—

Whilst petty offences and felonies smart,
Is there no jurisdiction for stealing one's heart?
You, fair one, will smile, and say, "Laws, I defy you!"
Assured that no peers can be summon'd to try you;
But think not such paltry defence shall secure ye,
For the Graces and Muses will just make a jury.

EPIGRAM on Mr. M—— going to law with Mr. Gilliver. Inscribed to Attorney Tibbald.—

Once in his life M——re judges right:
His sword and pen not worth a straw,
An author that could never write,
A gentleman that dares not fight,
Has but one way to tease—by law.
This suit, dear Theobald, kindly hatch;
Thus thou may'st help the sneaking elf;
And sure a printer is his match,
Who's but a publisher himself?

Pope.

EPITAPH ON PRINCE HENRY.—

In nature's law 'tis a plain case to dye,
No cunning lawyer can demur on that;
For cruel death and destiny
Serve all men with a latitat.
So princely Henry, when his case was try'd,
Confess'd the action, paid the debt, and dy'd.

ENGLISH CRIMINAL PUNISHMENTS.—Taking first the punishments which fell short of death, those most common in this country until comparatively recent times, were branding, mutilation, dismemberment, whipping, and degrading public exposure. Branding was often carried on with circumstances of atrocious barbarity. Vagabonds were marked with the letter V, idlers and masterless men with the letter S, betokening a condemnation to slavery; any church brawler lost his ears, and for a second offence might be branded with

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the letter F as a fray maker and fighter. Sometimes the penalty was to bore a hole of the compass of an inch through the gristle of the right ear.

THE PILLORY—Or stretch-neck, was first applied to fraudulent traders, perjurers, forgers, and so forth; afterwards to rash writers who dared to express an opinion, such as Prynne, Leighton, Burton, Warton, Bastwick, John Lilburne, and Daniel Defoe.

THE STAKE.—At York, in 1705, Mary Coole was convicted of parricide. She was deprived of her tongue and hand, and condemned to the stake.

A SIGHT.—There can't be a more preposterous sight than an executioner and a merry Andrew acting their part upon the same stage.—*Shaftesbury.*

STOCKS.—The last stocks in London were those of St. Clement's Danes, in Portugal Street, which were removed in 1826, to make way for local improvements.—*Wade.*

CRUCIFIXION.—In 1220, a child was crucified in Norwich; and another, aged nine, at Lincoln in 1225.

> O Younge Hugh of Lincoln slain also
> With cursed Jewës, as 'tis notable;
> For it n' is but a little while ago.—*Chaucer.*

PARENT MURDER.—Solon and Romulus, whose criminal codes embraced every imaginable delinquency, assigned no unusual penalty to parent murder.

DUCKING OR CUCKING-STOOL.—"A scourge for scolds," and once as common in every parish as the church. It was also known under the names of Tumbrell, the Gumstole, the Triback, the Trebucket, and the Reive. This instrument was used by the Saxons, by whom it was called "Cathedra in quâ rixosæ mulieres sedentes aquæ demergebantur."

Bowine.

PAPINIANUS.—This polite Jurisconsult, when invited by the Emperor Caracalla to justify the fratricide of which he, Caracalla, had been guilty, replied, that the murder of one's brother was an act more easy to commit than to excuse.

FLOGGING.—Whipping females was not abolished till 1817.

PILLORY—ITS DERIVATION.—Pillory is said to be a French word, and to be derived of the French word, *pilastre*,

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a pillar, columna—"Et est lignea columna in quâ collum insertum premitur"—and thereupon in law it is called Collistrigium, quia in eo collum hominum constringitur."

This legal punishment is very ancient, for the Saxons called it "healtrauz," so called for straining the neck.

The jeers of a theatre, the whipping-post, and the pillory are very near akin.—"*Watts on the Mind.*"

IN RICH HARDUM QUENDAM DIVITEM.

Devising on a time what name I might
Best give unto a dry litigious chuff,
After long search on his own name I light,
Nay then (said I), no more, I have enough;
His name and nature do full well agree,
For's name is Rich and hard, and so is he.

WOMEN BURNT FOR PETIT TREASON.—Until the thirtieth year of George III. this punishment was inflicted upon women convicted of murdering their husbands. In the reign of Mary, this death was commonly practised upon bishops and others who held religious opinions contrary to law.

LAW.—With customs we live well, but laws undo us.

A FRENCHMAN.—Having been condemned to death in this country, when the hangman placed the rope round his neck, exclaimed piteously, "Miséricorde! Miséricorde!" Whereupon the hangman exclaimed, "Measure the cord be hanged! There's enough rope to hang half a dozen like you."

ANCIENT LAW OF ITALY.—The stone of the hearth (*εστια*, vesta, Istanni stare, fast, from stein, stone), the tombstone which bounds the fields, these are the bases of Italian law; upon them are founded personal right, and that of property, or the agrarian right.

ACCESSION OF THE PRINCE OF ORANGE.—The lawyers were the first to hail the rising sun, and sent their address congratulatory by Mr. Serjeant Maynard, at that time upwards of eighty years old. When the King received it, he congratulated the old man on his good health, adding, "I think, sir, you have outlived most of your brethren of the law in this kingdom." "Had it not been for your Majesty's arrival," replied the Serjeant, "I should have survived the law itself."

HISTORICAL STATE OF THE LAW.—Before the Conquest

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few were learned in the laws, except the clergy, who possessed the only learning of the times. In the reign, therefore, of the Conqueror, in the great cause between Lanfranc and Odo, Bishop of Baieux, it was Algeric, Bishop of Chichester, to whom they looked for direction. He was brought in a chariot to instruct them in the ancient laws of the kingdom, "ut legum terræ sapientissimus." It was the same long after the Conquest.

A JUDGE BREAKING THE LAWS.—Lord Chief Justice Clerk, when out in pursuit of game one day, was passing through a turnip-field, when he was hailed by the farmer to "come out of that!" His Lordship, not liking to be addressed in this disrespectful way, asked the angry man if he knew to whom he was speaking? "No, I dinna," was the answer. "Well, I'm the Lord Justice Clerk." "I dinna care wha's clerk ye are; but ye'se come out among my neeps."

SOME SIMPLE, AND EASILY-UNDERSTOOD ENGLISH LAW TERMS!!—Volor marxitagii, oustor lemain, Frankalmoign, burgage tenure, Socage, Formedon, Estover, Housebotes, Firebotes, Estopell, Termor, interesse termini, emblement, Seisin, Seised per tout et non per my, jus accrescendi præfertur oneribus, Escrow, disseisor, Merger, attornment, trinoda necessitas, cestui que use, cy près doctrine, Bottomry, Cornage.

LAW IN THE DESERT.—If any Levite was in doubt as to any ordinance or duty, he was to inquire of the priest, the Levite, who was also the judge, and who would show him the sentence of judgment (*Deut. xvii.* 9) as written by Moses.

FOOLS WHO GO TO LAW. Cum licet fugere, nequære litem.—

The fool, who doth at trifles claw
And to obtain them goes to law:
Yet, having met with sad disaster,
Applies, to heal it, blister plaister.
The remedy ne'er fails to stick
Upon his head, so wond'rous thick.
For if with law you once begin,
'Twill strip the poor man to the skin:
And from the rich alike will steal
Enough to make the client feel
Just like the sheep that, in a storm,
Sought 'neath the hedge a covert warm;

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And, there, from wind and rain defended,
He waited till the storm was ended ;
Then bleated out a thousand thanks,
And bounded blithe to sunny banks :
But found, though shelter'd from the wind,
Part of his fleece was left behind.
Thus, bramble like, we find that daw,
When once a fool gets in its jaw,
Though from the theft he saves his coat,
'Twill store the pound, and leave the groat.

LEGAL ADVERTISEMENT.—To be sold, on the 8th of July, 151 suits in law, the property of an eminent attorney, about to retire from business. Note, the clients are rich and obstinate.

A POINT OF PRECEDENCE SETTLED.—A dispute once arose between the doctors of law and medicine in Cambridge, as to which had the right of precedence. "Does the thief or hangman take precedence at executions?" asked the Chancellor, when consulted. "The former," answered a wag. "Then let the doctors of law have precedence," said the Chancellor.

CONSULTATION WITH AN ATTORNEY.—If previous to so doing, a man would give a few moments to calm reflection, he would frequently save, not only his property, but what is far more valuable, his peace of mind ; for, in the course of legal investigations, it is astonishing how many unforeseen circumstances the parties have to encounter ; what with witnesses being fooled by counsel, or having rather deaf consciences, and juries swayed by prejudice, or the glib tongue of the pleader, it becomes a very dubious point, even in the clearest case, who will come off the victor.

CLIENTS.—Inferior members of the gens, clientes, or dependants (cliens from cluere, as in German, hæiger from hæren), coloni (clientes, quasi colentes); among whom the father divided his lands in lots of two, or seven acres. The possessions of Cincinnatus, Curius Dentatus, Fabricius, Regulus, &c., did not exceed this quantity.—*Liv.* v. 30 ; *Val. Max.* iv. 3, 5.

TO CONDEMN TO DEATH AND TO BE CONDEMNED TO DEATH.—28th July (Monday), 1794. Maximilian Robespierre, aged thirty-five (with nearly seventy of his party), guillotined at Paris. When, on the night of the 27th July, he found himself abandoned by his friends, he discharged a

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pistol into his mouth, and at the same time a gendarme wounded him with another. Robespierre fell bathed in blood. He wished to wipe away the blood that filled his mouth ; they gave him a bloody cloth, and as he pushed it from him they said to him, "It is blood—it is what thou art fond of!" And a sansculotte, approaching him, pronounced these words in his ear, "There exists a Supreme Being." Previous to his execution, the bandage being dragged off his jaws, he shrieked in agony, and his lower jaw fell down, in consequence of the wound he had given himself.

A PLAIN-SPOKEN CLIENT.—A countryman applied to a solicitor for advice in a certain matter. On being asked if he had stated the exact facts of the case, he replied with more truth than discretion, "Oh, ay, sir, I thought it better to tell you the plain truth ; you can put the lees till 't yersel'!"

DIES NON.—The word "Juridicus" being understood,—"A day on which no legal proceedings can take place." These are all Sundays in the year ; the Purification, in Hilary Term ; the Ascension, in Easter Term ; the Festival of St. John Baptist, in Trinity Term ; and those of All Saints and All Souls, in Michaelmas Term.

LAW OF DEBT.—The twelve tables give the reply :—Listen to the terrible song of the law,—lex horrendi carminis erat : Let him be summoned ; if he does not appear, take witnesses, arrest him ; if he hesitates lay hands on him. The debt acknowledged, the affair is settled. Let the prisoner live on his means ; if he have none, he is to have a pound of flour or more ; such is the law.

AN EXECUTION IN 1600.—June 16. Robert Weir was broken on a cart-wheel, with the coulter of a plough in the hand of the hangman, for murdering the "Guid man of Warriston."

A FRENCH PROVERB.—Il n'y a pas de cheval si bon qu'il ne bronche.

Some time after the execution of the unfortunate John Calas, the President who had condemned him to death was vindicating his conduct and that of the other judges by the above reply ; upon which Voltaire sarcastically replied, "Oui, mais toute une écurie"—"True, but in this case the whole stable tripped."

LAW-SUITS.—"Fuyez les procès sur toutes choses : la conscience s'y intéresse, la santé s'y altère, les biens s'y dissipentè." *La Bruyère*—"Avoid law-suits beyond all things : they in

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fluence your conscience, impair your health, and dissipate your property."

WITNESSES.—

—— For witnesses, like watches, go
Just as they're set, too fast or slow,
And where, in conscience, th'are strait-lac'd,
'Tis ten to one that side is cast.
Do not your juries give their verdict,
As if they felt the cause, not heard it?
And, as they please, make matter of fact
Run all on one side, as they're pack't?
Nature made in man's breast no windores,
To publish what he does within doors.

CICERO, PRO MURENA.—Yet people might very conveniently have gone to law in this manner. Says one, "That Sabine estate is mine." "No, 'tis mine," says another. "Then give judgment." "By no means; this won't do," says the civilian, "those premises which lie in the Sabine country, commonly so called; verbose enough, in all conscience—Well, what next?" "I claim by the common laws of the land as my property." "What then?" "And therefore I hereby give you fair and special warning to move off the premises." The defendant was then quite at a loss for an answer to this bead-roll of law-terms. And then the same lawyer goes on like a country ballad-singer in the same cant, "From these premises off of which you have given me fair and special warning to move, I hereby give you warning to move in like manner."

OLD CUSTOMS—Have been called Laws of Romulus, especially in cases where, according to the classic writers, Numa Pompilius is described as having confirmed or altered existing institutions. The various passages of Dionysius of Halicarnassus, and Plutarch, which assign particular laws or particular institutions, political and religious, to Romulus, have been translated, commented upon and twisted about in all sorts of ways, by writers of the sixteenth century, by Meruld, Charandos, Hoffman, &c. Contius and Justus Lipsius exhibit the greatest amount of legal acumen.

COLLECTIO LANARUM.—The oppressive laws with regard to wool, which was the staple of English commerce in the thirteenth century, were severely felt and complained of. In 1296 the king seized all the wool in the merchants' warehouses, and sold it for his own benefit, paying for it, as

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usual, with tallies, and promising to repay them in full. "Ministri regis omnes saccos lanæ, quinarium numerum excedentes, datis talliis, acceperunt ad opus regis eorum dominis, nomine Malæ totæ, xl. solidos extorserunt."—*Hemingford*, p. 110.

"Unquore plus greve à simple gent collectio lanarum que vendre fet communement divitias earum. Ne pust estre que tiel consail constat Deo carum, Issi destrure le poverail pondus per amarum, non est lex sana, quod regi sit mea lana." (MS. Harl. No. 2253, fol. 137, Vo., written in reign of Edward II.)

"The collecting of the wool grieves the common people still more, which drives them commonly to sell their property. Such counsel cannot be acceptable to God, thus to destroy the poor people by a bitter burthen. It is not sound law which gives my wool to the king."

OLIVER CROMWELL TO HIS SECOND PARLIAMENT.—"You were to help with your wise counsel; you have had such an opportunity as no Parliament in England ever had. Christ's law, the Right and True, was to be in some measure made the law of the land.

"In place of that, you have got into your idle pedantries, constitutionalities, bottomless cavillings, and questionings about written laws for my coming here; and would send the whole matter into chaos again, because I have no notary's parchment, but only God's voice from the battle whirlwind, for being president among you! That opportunity is gone. You have had your constitutional logic; and Mammon's law, not Christ's law, rules yet in this land.

"Take you your constitution-formulas in your hand, and I my informal struggles, purposes, realities, and acts, and God be judge between you and me!"

A MURDERER'S FANCIED ESCAPE FROM THE CLUTCHES OF THE LAW.—

'ΑΝΔΡΟΦΟΝΩι σαθρὸν παρὰ τειχίον ὑπνώντι
νυκτὸς ἐπισῆναί φασι Σάραπιν ὄναρ
καὶ χρησμῳδῆσαι κατακείμενος οὕτος ἀνίττω
καὶ κοιμῶ "μεταβάς, ὦ τάλας, ἀλλαχόθι."
Ὃς δὲ διϋπνισθεὶς μετέβη· τὸ δὲ σαθρὸν ἐκεῖνο
τειχίον ἔχιον ἐξαίφνης εὐθὺς ἔκειτο χαμαί·
σῶστρα δ' ἔωθεν ἔθυε θεοῖς χαίρων ὁ κακοῦργος,
ἤδεσθαι νομίσας τὸν θεὸν ἀνδροφόνοις·
ἀλλ' ὁ Σάραπις ἔχρησε πάλιν διὰ νυκτὸς ἐπιστάς
"κήδεσθαί με δόκεις, ἄθλιε, τῶν ἀδίκων;

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εἰ μὴ νῦν σεμεθῆκα θανεῖν θάνατου μεν ὄλυπον
νῦν ἔφυγες, σταυρῷ δ' ἴσθι, φυλαττόμενος."

Palladas.

ÆMILIUS ON HIS CONQUERING CAR.—This odd expedient (*Juv. Sat.* vii. v. 185) of the lawyers to gain notoriety and business (like a quack doctor's carriage) is also to be found in Martial.

ATTORNEY.—The name is going out of honour, and giving way to solicitor. Philips defines attorney—"One appointed by another man to do anything in his stead, or to take upon him the charge of his business in his absence."

"Attornies are denied me,
And therefore personally I lay my claim
To my inheritance of free descent."

King Richard II., Act II. Scene III.

FUSCUS, THE LEAKY JUDGE.—For where much wine is drunk, much water flows. The wife, it seems, was worthy of her husband.

"The dish is silver wrought, the full-siz'd bowl,
Fit for the wife of Fuscus, thirsty soul!
Fit for a Centaur, at one draught to drain—
These my Catullus cast into the main,
With plates, and British baskets, and a store
Of precious cups, high-chas'd in golden ore,
Cups that adorn'd the crafty Philip's state,
And bought his entrance at th' Olynthian gate."

Juv. Sat. xii. v. 72.

LITIGIOUS.—This word has changed from an objective to a subjective sense. Things were "litigious" once, which offered matter of litigation; persons are "litigious" now who are prone to litigation. Both meanings are to be found in the Latin "litigiosus," though predominantly that which we have made the sole meaning.—*Trench.*

"No fences parted fields, nor marks nor bounds,
Distinguished acres of litigious grounds."

Dryden, Virg. Geor. b. i. 193-4.

SLEEP.—It has generally been observed that criminals sleep well the night before their execution.—*The Newgate Calendar.*

"Good rest, as wretches have o'er night that wait for execution in the morn."—*Shakespeare.*

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"How have I wrong'd thee, Sleep, thou gentlest pow'r
Of Heav'n? that I alone, at night's dread hour,
Still from thy soft embraces am represt,
Nor drink oblivion on thy balmy breast?
Now ev'ry field, and ev'ry flock is thine,
And, seeming slumbers bend the mountain pine;
Hush'd is the tempest's howl, the torrent's roar,
And the smooth wave lies pillow'd on the shore.
But sev'n sad moons have seen this faded cheek,
And eyes too plainly that their vigils speak:
Aurora hears my plaint at her return,
And sheds her pitying dewdrops as I mourn."

Statius.

JUSTICE.—Although it be but one entire virtue, yet it is described in two kinds of species: the one is named justice distributive, the other is called commutative.—*Sir T. Elyot.*

THE HIGHLAND OATH.—The Highlanders used to think slightingly of the Lowland form of oath. At Carlisle Assizes, a Highland drover, who had meditated the ruin of another, prosecuted him for horse-stealing, and swore positively to the fact. This being done, the supposed criminal desired that his prosecutor might be sworn in the Highland manner; and, the oath being tendered him accordingly, he refused to take it, saying, "There is a hantle of difference betwixt blawing on a book and damning ane's ain soul."

PENITENTIARY.—It is curious that this word has possessed three entirely independent meanings: penitent, ordainer of penances in the church, and place for penitents.

A JUDICIAL CLIMAX.—Lord Eskgrove, at the Glasgow Circuit Court, had to condemn two prisoners to death for breaking into the house of Sir James Colquhoun of Luss, assaulting him, and robbing him of a very large sum of money. He first, as was his constant practice, explained the nature of the various crimes—assault, robbery, and hame-sucken, of which last he gave the etymology—and he then reminded them that they had attacked the house, and the persons in it, and robbed them, and then came to this climax,—"And all this you did, and, God preserve us! joost when they were sitten down to their denner!!"

FELON.—Juridical lexicographers, Prateus, Calvinus, and the rest derive it from the Greek φηλος, others from the Latin fallo, fefelli. Spelman derives it from two northern words: fee, the fief, feud, and lon, which signifies price or value.

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THE LAW OF WRECKS.—King Richard, by his own experience, grew sensible of the miseries which merchants and mariners at sea underwent. Wherefore, touched with remorse at their pitiful case, he resolved to revoke the law of wrecks.—*Fuller*, "*The Holy War.*"

JUVENAL'S OPINION OF LAWYERS.—

"Say for what gains the subtle lawyer looks
From his long pleadings, and his load of books?
Hark! how he bawls, and yet a higher note!
What means this strange exertion of his throat?
His client jogg'd his elbow—'twas to tell
A lie as black and infamous as ——!
'Tis told—the debt, that never was incurr'd,
Is sworn to, and the plaintiff's claim preferr'd.
Triumphant counsel! o'er whose whiten'd gown
Fell the thick spray of rapid falsehood down,
What hast thou earn'd? A poor reward awaits
The labours of these roaring advocates;
And let a hundred join the whole they've got—
One coachman's fortune shall outweigh the lot."

Sat. vii., v. 160.

THE CONNECTION OF LAW WITH JUSTICE.—It is clear that the just man also will mean the man who acts according to law, and the equal man. The just will, therefore, be the lawful and the equal; and the unjust the unlawful and the unequal. But since the unjust man is also one who takes more than his share, he will be of this character with regard to goods; not, indeed, all goods, but only those in which there is good and bad fortune. The just man is *νόμικος* and *ἴσος*; the *δίκαιος* is *νόμικος* and *ἴσος*; therefore the *ἄδικος* is *παρανομος* and *ἄνισος*.—*Aristotle's Ethics*, book v.

A GOVERNMENT MURDER.—On Sunday morning, the 13th of March, 1757, the Marshal of the High Court of Admiralty read out the warrant to Admiral Byng that he was to be put to death (as Voltaire has it, "pour encourager les autres") the next day "upon the forecastle." This last indignity to a gallant officer was altered through the earnest appeal of his friends, and the admiral was duly murdered on the larboard side of the quarter-deck instead. He was dressed in a light grey suit, having cast his uniform into the sea upon reading the order of his suspension in Gibraltar Bay. On Monday morn, a few minutes before twelve, Byng walked out at the great cabin, carrying in each hand a white handkerchief, one folded, which he tied over his eyes; guided to the

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cushion prepared for him to kneel on, he dropped the other in his right as a signal, on which a volley was fired from six marines, five of whose bullets went through him, and he was in an instant no more. The sixth bullet went over his head. He fell on his left side. Byng met his fate with the greatest composure and dignity; so much so, that the seamen, when they saw him fall, cried out with a kind of enthusiasm, "There lies the bravest officer in the navy!" The president of this infamous court-martial was Vice-Admiral Thomas Smith, known in the navy by the name of "Tom of Ten Thousand."

MORTIS CAUSA—Is a donation, when the donor wishes that the thing given should belong to himself rather than him o whom he gives it, and to that person rather than to his own heir. It is thus that in Homer, Telemachus gives to Piræ· ·:—

Πείραι, οὐ γάρ τ' ἴδμεν ὅπως ἴσται τάδι ἔργα,
Εἴκεν μνηστηρες ἀγηνορες εν μεγάροισι
Λάθρηκτείναντες, πατρώϊα παντα δασουται,
Αὐτόν ἔχουτάσε βούλομ ἐπαυρέμεν ἤ τινα τῶνδε·
Εἰ δέ ἐγὼ τούτοισι φόνον καὶ κῆρα φυτεύσω,
Δὴ τοτεμοι χαίροντε φέρειν πρὸς δωματα χαιρων.

"Piræus—for we know not how these things shall be, whether the proud suitors shall slay me secretly in the palace, and shall divide the goods of my father—I would that thou should'st have and enjoy the things rather than that any of these men should; but if I should plant slaughter and death amongst 'em, then indeed take the things."

HOOK *v.* THE LEGAL TAX-GATHERER (MR. WINTER).—

Here comes Mr. Winter, collector of taxes,
I'd advise you to pay him whatever he axes;
Excuses won't do, he stands no sort of flummery,
Tho' Winter his name is, his process is summary.

ROBERT EMMETT (supposed to have been written by him after he was sentenced to death, A.D. 1803).—

When he that adores thee, has left but the name
Of his fault and his sorrows behind,
O! say wilt thou weep when they darken the fame
Of a life that for thee was resigned?
Yes, weep, and however my foes may condemn,
Thy tears shall efface their decree,
For Heaven can witness, though guilty to them,
I have been but too faithful to thee.

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With thee were the dreams of my earliest love ;
Every thought of my reason was thine ;
In my last humble prayer to the Spirit above,
Thy name shall be mingled with mine.
O ! blest are the lovers and friends who shall live
The days of thy glory to see ;
But the next dearest blessing that Heaven can give
Is the pride of thus dying for thee.

The Dying Patriot to his Country.

LEARNED JUDGES.—The Court of Session was one day deliberating on a bill of suspension and interdict relative to certain caravans with wild beasts on the old Earthen Mound of Edinburgh, and in the course of the proceedings Lord Bannatyne fell asleep.

The case was disposed of, and the next was called, which related to a right of lien over certain goods. The learned lord, who continued dozing, having heard the word lien pronounced with a most emphatic Scottish accent by Lord Meadowbank, arose the following discussion :—

Meadowbank (*loq.*). I am very clear that there was a lien upon this property.

Bannatyne (dozing). Certainly ; but it ought to be chained, because—

Balmuto. My lord, it's no' a livin' lion—it's the Latin word lien.

Hermand. No, sir ; the word is French.

Balmuto. I thought it was Latin, for it's in italics.

THE DEVIL'S WALK.—

From his brimstone bed, at break of day,
A-walking the devil is gone,
To visit his snug little farm of the earth,
And to see how his stock goes on.

He saw a lawyer killing a viper,
On a dunghill, beside his own stable ;
And the devil smiled, for it put him in mind
Of Cain and his brother Abel.

He stepp'd into a rich bookseller's shop ;
Says he, "We are both of one college,
For I, myself, sat like a cormorant once,
Hard by on the tree of knowledge."

As he pass'd through Coldbath Fields he saw
A solitary cell ;
And the devil was charm'd, for it gave him a hint
For improving the prisons of hell.

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He saw a turnkey in a trice
Fetter a troublesome jade;
"Ah, nimble," quoth he, "do the fingers move
When they're used to their trade."

He saw the same turnkey unfetter the same,
But with little expedition;
And the devil thought on the long debates
On the Slave Trade Abolition.[1]

Judge W——'s chastity's face
He saw with consternation,
And back to hell his way did take,
For the devil thought, by a slight mistake,
'Twas the general conflagration.

ROMAN WILLS.—Women could not make wills if in the power of their father, or in the "manus" of their husband. If they were not "in potestate," nor "in manu," they could make a will, provided that the will was confirmed by the "auctoritas" of the tutor. By a fictitious sale, however, "coemptio fiduciæ causâ," a woman could free herself from the power of her tutor, and then she could make a will independently of him.

THE RISE OF LAWYERS.—Most of the leading lawyers have started in business in a very humble way. A noted firm of lawyers originated under most unpropitious circumstances. One of them was so poor when he began practice that he was compelled to keep in his office, using a couple of Blackstones for a pillow, and his overcoat for bed-clothes. One bitter cold night, hearing a strange noise in the hall-way, he looked out and saw another "limb" spreading a couple of newspapers on the floor for a bed. The owner of the bed-clothes generously shared them with his less fortunate friend, who in turn contributed his bed. Before getting to sleep the two entered into partnership, which was dissolved only by the death of one of them, after both had grown old and wealthy.

CHRISTIANITY.—Its influence on Roman law was partly direct, partly indirect. The establishment of a hierarchical rank, the power granted to religious corporations to hold property, the distinction between Christians and heretics, affecting the civil position of the latter, the creation of episcopal courts and many other similar innovations, gave rise to direct specific changes in the law.

[1] *Vide* Gladstone's speeches.

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LEGAL PROCLAMATION FOR HOLDING A FAIR AMONG THE SCOTCH.—O yes! and that's ae time; O yes! and that's twa times; O yes! and that's theird and last time.

All manner of pearson or pearsons, whosoever, let 'em draw near, and I shall let 'em ken, that there is a fair to be held at the muckle town of Langholm, for the space of aught days, wherein if any hustrin, custrin, land-lopper, dab-skouper, or gang-the-gate swinger shall breed any hurdam durdam, rabblement, brabblement, or squabblement, he shall have his lags tacked to the muckle throne, with a nail of a twa-a-penny, until he down on his hobshanks, and put up his muckle daups, and pray to hea'en neen times, God bless the king, and thrice the muckle laird of Relton, paying a groat to one Jemmy Ferguson, bailey of the aforesaid manor.

So you have heard my proclamation, and I'll gang hame to my dinner.

BRACTON, *Temp.* Henry III.—Little is known of his life; he appears to have served as an itinerant justice in Devonshire in 1246, 1252, and 1255. He is also said to have been a clerk, and there is a tradition that he was Archdeacon of Barnstaple.

THE LAWYER'S CLERK.—

As at the desk in durance base,
His quill young Quibble ply'd,
Sudden he check'd its busy pace,
And thus in anguish cry'd:
"Must I for ever declarations draw,
And fill up process for a man of law?
For ever deeds engross, and copy fair,
And like a lacquey, traverse here and there?
Oh! curse of servitude! beneath its throne
I counterfeit submission meek,
With not one word, whene'er I speak,
Or action of my own.

"What! shall I never in my life forego
The company of Doe and Roe?
Nor mix with those
Who wear a scabbard, and set up for beaux?
Shall I from time to time o'er sheepskins drudge,
Or else, as business calls, attend a judge,
There quibbling affidavits read,
And squabble for a fortnight's time to plead?
Shall I be subject to a dolt's command,
And like a negro wait, cap in hand?

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Shall I his nod imperative obey,
And all for eighteen-pence a day?

"No; let me haste, and practise for myself,
And ease my client of his hoarded pelf.
Then with my briefs and motions I'll resort
To ev'ry hall, and ev'ry court,
Where clamour wages war with sense,
And oratory centres in multiloquence:
Where quirks the young boy—barristers confound,
And surly gravity looks big:
Where cunning darts her active eyes around,
Beneath the pent-house of an awe-commanding wig."

He said—when lo! apparent at his elbow stood,
No ghost, but substance firm of flesh and blood—
A tailor—in his hand he bore
The remnant of an unpaid score:
Soon faded all the lustre of his eye,
And from his cheek declined the living rose:
Then quick succeeded the tumultuous sigh,
And the sharp torture, which a debtor knows.

CIVIL LAWS.—As most political societies are badly organized, it often happens that both the laws of God and public opinion are in opposition to the civil laws in force; in which case, every good man will be a bad citizen, since he must necessarily desire the dissolution of that government under which he lives.—*Muretus.*

JUSTICES' JUSTICE.—A boy was brought before a Glasgow magistrate charged with stealing a handkerchief from a gentleman's pocket. The indictment having been read, the bailie, addressing the boy, said, "I hae nae doot ye did the deed, for I had a handkerchief ta'en out o' my ain pouch this vera week, so you maun gang to the jail for sixty days." A friend of the boy's remarked that the case had not been proved against him.

"Oh, then, in that case," replied the worthy bailie, "I'll just gie ye thirty days."

On being again informed that even this sentence was a strain upon the law, he finally disposed of the case by saying, "Weel, my lad, the evidence is a wee bit jimp this time, so I'll let ye aff; but see and no do't agin!"

A TALL GIBBET.—"The dockyard incendiary," Jack the Painter, was drawn up by pulleys to the top of the gibbet, which was made of the mizen-mast of the *Arethusa* frigate,

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which was sixty-four feet and a half high. He hung one hour, and was taken down and suspended in chains on Block-house Port, at the mouth of Portsmouth Harbour, where his body remained gibbetted for several years.

PRIESTLY JUDGES.—Martinus de Pateshull, Dean of St. Paul's; W. Raleigh, clericus; the Abbot of Reading; and the Bishops of Durham, Chester, and Carlisle.—*Güterbock.*

THE SHOP-LIFTING ACT.—Under this Act Mary Jones was executed. It was at the time when press warrants were issued on the alarm about the Falkland Islands.

Her husband was pressed, their goods seized for some debts of his, and she, with two small children, turned into the streets to beg.

Mary Jones was very young, under nineteen, and remarkably handsome.

She went to a linendraper's shop, took some coarse linen off the counter, and slipped it under her cloak; the shopman saw her, and she laid it down. For this she was hanged.

Her defence was that she lived in credit, and wanted for nothing, till a press-gang came and stole her husband from her; but since then she had no bed to sleep on, nothing to give her children to eat, and they were almost naked; and perhaps she might have done something wrong, for she hardly knew what she did.

There had been a good deal of shop-lifting about Ludgate: an example was thought necessary, and Mary Jones was hanged for the comfort and gratification of some shopkeepers in Ludgate Street.

When condemned to death, Mary Jones behaved in such a frantic state as proved her mind had gone. On setting out for Tyburn her youngest child was torn from her arms by the legal officials.

Compare what Mary Jones did, and what the law did! The law bereaved Mary Jones of her husband, and the children of a father, who was all their support. The law deprived Mary Jones of her life, and the children of their remaining parent, exposing them to every danger, insult, and merciless treatment that destitute and helpless orphans suffer. Was ever a fouler murder committed against law than the murder of Mary Jones by law? With truth may it be said,—

"A beauteous woman's the noblest work of God."

PURGATION BY ORDEAL—A favourite amusement in early English legal proceedings. It appears to have been very ancient. It was known to eminent Greek practitioners in the

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same line of business. In the "Antigone" of Sophocles, a person suspected by Creon of a misdemeanour, declares himself ready "to handle hot iron and to walk over fire" in order to manifest his innocence. Grotius gives many instances of water-ordeal in Bithynia, Sardinia, and other places.

A FOREGONE CONCLUSION.—At a criminal trial, just as the counsel for the prisoner was about to open his address, Lord Braxfield, who was president, muttered loud enough to be heard by a considerable part of the court, "Ye may spare your pains; we're determined to hang the scoundrel at any rate!"

ARSON—Was punished by the ancient Saxon laws with death; and in the reign of Edward I. this sentence was executed by a kind of lex talionis; for the incendiaries were burnt to death, as they were by the Gothic constitutions.

STEALING TEA.—In the early part of the present century a poor woman was brought before a Greenock magistrate, charged with stealing tea from a ship's side. It was her first offence, and the bailie said, "What tempted ye to do it, woman?" The prisoner burst into tears, and replied, "It was the deevil temptit me." "The deevil, hanest man," answered the magistrate, "had nothing to do wi't; (*sotto voce*) at least I never kenned he was sic a grand judge o' tea, for it was the last kist in the ship; sae ye maan e'en gang to the lock-up for a week."

DE DAMNATORUM CARCERE ET ROGO.—It is an open question whether the Church or the law has shown the greater ingenuity in inventing punishments for the benefaction of mankind. According to the former there is a nine-fold division of the torments of hell, of which the first is darkness, "Primum æterni Tartari tormentum, tenebræ." To this species of torture succeeds that of weeping and lamentation, "Alterum æterni Tartari lamentum, tormentum fletus;" the third is eternal hunger and thirst, "Tertium æterni Tartari tormentum, famis et sitis;" the fourth is fœtid odours, "Quartum æterni Tartari tormentum, fœtor." Next to this is the punishment of fire, "Ignis;" sixth is the worm of conscience, "Vermis conscientiæ;" seventh, the place and company, "Locus et societas." The eighth punishment consists in despair, "Desperatio," and the ninth in the never-ending duration of the whole—"Æternitas."

"Thus repulsed, our final hope
Is flat despair: we must exasperate

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The Almighty Victor to spend all His rage.
And that must end us—that must be our cure,
To be no more : sad cure ! for who would lose,
Though full of pain, this intellectual being,
These thoughts that wander through eternity
To perish rather, swallowed up and lost
In the wide womb of uncreated night,
Devoid of sense and motion ?"

Paradise Lost.

LORD CHANCELLOR NORTHINGTON.—In his youth he was a professed debauchee, and the sentiments and language of that character were retained by him to the latest moments of his life. On his return home from a court of justice he would not hesitate to swear at his servants, and be indecent with his company.

LAW.—

The law that now is paramount,
The common law by which the poor and weak
Are trampled under foot of vicious men,
And loathed ever after by the good.

LAW OF HONOUR.—Duelling is the shield which liars and other persons of base mind hold before them, to protect their ears from the truth, and from learning the contempt in which they are held by their superiors in virtue and in wisdom.

Rousseau, the "Nouvelle Heloise."

MOSAIC LAW.—The law ordained that for a sheep or an ox four or five-fold should be restored, and for robbing a house, double ; that is, one fold for reparation, the rest for example ; and the forfeiture was greater as the property was more exposed. If the thief came by night, it was lawful to kill him ; but if he came by day, he was only to make restitution ; and if he had nothing, he had to be sold for his theft. This is all God required in felonies.

FOREST LAWS.—The penalty for killing a stag or a boar was loss of eyes ; for William loved the great game, say the Saxon Chronicles, as if he had been their father.—*Hallam.*

THE PRESS WARRANT.—

As Tom Bowling was prowling the streets with his gang,
Such fellows to press as would otherwise hang ;
He spied one he thought would answer his end,
And slapping his shoulder cried, "What ship, my friend ?"
"You mistake," said the man ; "sir, you cannot take me !
I can prove how I live, so by law I am free."

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"Your law," said rough Tom, "I'm not very apt in ;
That's a thing we leave to the reg'lating captain ;
But this I know well, that whate'er you may say,
I've a warrant to press, and so you must away."
Then straight with their prey they set off to the boat,
And his children and wife left to sink or to float.
A Frenchman, attentive, observed all that pass'd,
And thus to a friend he broke silence at last:
"Now, sir, pray you tell me, en verité,
Vat vas you tink now, of your grand liberté?
You made de great joke of de lettre de cachet;
Ma foi! de press-warrant vill very vell match it."

IRISH LAW ON THE SUBJECT OF RELIGION.—On the English side of St. George's Channel every priest who received a neophyte into the bosom of the Church of Rome was liable to be hanged, drawn, and quartered. On the other side he incurred no such danger. A Jesuit who landed at Dover took his life in his hand, but he walked the streets of Dublin in safety. Here no man could hold office, or even earn his living as a barrister or a schoolmaster, without previously taking the oath of supremacy; but in Ireland a public functionary was not held to be under the necessity of taking that oath unless it was formally tendered to him.

Temp. James II.

LAW BULK.—Livy expresses it, "tam immensus aliarum super alias acervatarum legum cumulus." It was also computed to be many camel-loads, before the time of Justinian.

Liv. 3, c. 34.

LAW.—

The law is hard on man or woman
Who steals the goose from off the common,
But lets the greater sinner loose
Who steals the common from the goose.

LEGAL EXEMPTIONS.—The Universities of Cambridge and Oxford, their colleges, and the scholars on the foundation of Eton, Winchester, and Westminster, as well as the British Museum, are exempted from the law of mortmain.

THE ULSTER TENANT-RIGHT—Previous to 1870, when the Irish Land Bill was passed, had no legal sanction; it simply existed as a custom, which was, however, in almost every instance implicitly obeyed. This may be regarded as a remarkable example of the extent to which custom may control commercial transactions.

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CALIGULA—Wrote his laws in a very small character, and hung them upon high pillars, the more effectually to entrap the people.

A LAWYER ON LAW.—A well-known barrister being in company one day, after he had retired from practice, the glorious uncertainty of the law became the subject of conversation. He was appealed to for his opinion, when he laconically observed, "If any man was to claim the coat upon my back, and threaten me with a law-suit, in case of a refusal to give it him, he certainly should have it, lest, in defending my coat, I should find out, too late, that I was deprived of my waistcoat also!"

THE OLDEST SEALED CHARTER—In England is supposed to be that of Edward the Confessor to Westminster Abbey.

A ROOM IN SIR WILLIAM FONDLOVE'S HOUSE.—
(Sir WILLIAM *seated with two Lawyers.*)

Sir W. How many words you take to tell few things,
Again, again say over what, said once,
Methinks were told enough!
First Lawyer. It is the law,
Which labours at precision.
Sir W. Yes; and thrives
Upon uncertainty—and makes it, too,
With all its pains to shun it. I could bind
Myself, methinks, with the twentieth part
Of all this cordage, sirs. But every man,
As they say, to his own business. You think
The settlement is handsome?
Second Lawyer. Very, sir.
Sir W. Then now, sirs, we have done, and take my thanks,
Which, with your charges, I shall render you
Again to-morrow.
First Lawyer. Happy nuptials, sir!!

Exeunt Lawyers.

Sheridan Knowles.

EPITAPH on Pentlaw, at Dumfries. Executed January the 2nd, 1667.—

Stay, passenger, read; here interred doth lye,
A witness against poor Scotland's perjury;
Whose head once fixed upon the bridge-post stood,
Proclaiming vengeance for his guiltless blood.

LAW LATIN.—Treason used to be "proditorè et contra

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ligantiæ suæ debitum;" in indictments for murder, it was expressed in Latin by the word "murdravit" (before Stat. 4, Geo. II. c. 26); the adverbs, "feloniously" and "burglariously," were "felonice" and "burglariter."

THE MAN ON THE WHEEL.—

"At Paris some time since a murdering man,
A German, and a most unlucky chap,
Sad, stumbling at the threshold of his plan,
Fell into Madam Justice's strong trap.

The burglar was condemn'd to grace the wheel,
On which the dullest fibres learn to feel;
His limbs *secundum artem* to be broke.
Amid ten thousand people, p'rhaps, or more,
When Monsieur Ketch applied a stroke,
The culprit, like a bullock, made a roar.

A flippant *petit-maître*, skippingly,
Stepp'd up to him, and check'd him for his cry;
"Boh!" quoth the German; "ant I pon de wheel?
D'ye tink my nerfs, and blood, and bones can't feel!"

"Sir," quoth the beau, "don't be in such a passion;
I've nought to say about your situation,
But making such a hideous noise in France,
Fellow, is contrary to *bienséance*."

P. Pindar.

LORD ESKGROVE—Was a very "wordy" judge. In condemning a tailor to death for murdering a soldier by stabbing him, he aggravated the offence thus:—"And not only did you murder him, whereby he was berea-ved of his life, but you did thrust, or push, or pierce, or project, or propel, the le-thal weapon through the belly-band of his regimental breeches, which were his Majesty's!"

LAW OF SLAVES.—The Lex Cornelia passed by Sylla, B.C. 82, made killing punishable as homicide, with death or exile. (D. ix. 2, 23, 9). The Lex Petronia (D. xlviii. 8, 11, 2), passed in the time of the early emperors, forbade masters to expose their slaves to contests with wild beasts. Hadrian required the sanction of a magistrate in all cases before death was inflicted. Constantine only permitted moderate corporal chastisement to be inflicted, and Justinian in the Code retains his enactment.

THE VIRGINIAN MAID'S LAMENT.—

Hearken, and I'll tell
You a story that befell,

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In the land of Virginia, O ;
How that a pretty maid
For a slave she was betray'd,
And O, but I'm weary, weary, O.

Seven long years I served
To Captain Welsh, a laird,
In the land of Virginia, O ;
And he so cruelly
Sold me to Madam Guy,
And O, but I'm weary, weary, O.

We are yoked in a plough,
And wearied sair enough,
In the land of Virginia, O ;
With the yoke upon our neck,
Till our hearts are like to break,
And O, but I'm weary, weary, O.

When we're call'd home to meat,
There's little there to eat ;
In the land of Virginia, O ;
We're whipt at every meal,
And our backs are never heal,
And O, but I'm weary, weary, O.

When our madam she does walk,
We must all be at her back,
In the land of Virginia, O ;
When our baby she does weep,
We must lull it o'er asleep,
And O, but I'm weary, weary, O.

At mid time of the day,
When our master goes to play
In the land of Virginia, O ;
Our factor stands near by,
With his rod below his thigh,
And O, but I'm weary, weary, O.

But if I had a chance,
Fair Scotland to advance,
From the land of Virginia, O ;
Never more should I
Be a slave to Madam Guy,
And O, but I'm weary, weary, O.

JUSTINIAN.—This emperor was of Sclavonic origin. He was born at Taurisium, in Bulgaria, about the year A.D. 482. He died in A.D. 565, after an eventful reign of thirty-eight

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years. His two great generals were Belisarius and Narses. But his principal claim to be remembered by posterity is his having directed the execution of an undertaking which gave to Roman law a form that fitted it to descend to the modern world.

A HARD LAW.—A Highland lad was taken up and committed to the guard for not wearing treuse, contraire to a late Act of Parliament.—*Glasgow Courant, May,* 1794.

LAW OF GOVERNMENT.—Governing by the Christian law of God has been found a thing of battle, convulsion, confusion, an infinitely difficult thing: wherefore let us abandon it, and govern only by so much of God's Christian law as may prove quiet and convenient for us.—*Carlyle.*

AMENITIES OF THE BAR. — Counsel is making a long, dreary speech. Judge involuntarily shuts his eyes. Counsel notes the fact, and exclaims, "I shall stop speaking if his lordship goes to sleep." "And I never go to sleep except when you are talking," replied the judge.—*Il Corriere.*

LORD ELLENBOROUGH.— In 1817 this Chief Justice resigned his office in chagrin, brought on it is said by the ability with which William Hone, the bookseller, conducted his own case, and in which he had been quite foiled by Hone. His display of temper on the occasion would have been amusing, had it not been senile.

AT THE ASSIZES.—Judge: "Prisoner at the bar, have you anything to say why sentence of death should not be passed upon you?" Prisoner: "My lord, I am a member of the Society for the Abolition of Capital Punishment."—*Progrès de Nantes.*

DEBT.—Among the many immunities by which men were allured to engage in the dangerous expeditions for the recovery of the Holy Land, one of the most considerable was the declaring such as took the Cross to be subject only to the spiritual courts.—*Du Cange,* "*Crucis Privilegia.*"

FOWLS.—"And you say that you are innocent of the charge of stealing fowls from Mr. Jones?" asked a country magistrate of a meek-looking prisoner. "Yes, sir, I am innocent—as innocent as a child." "You are confident that you did not steal the fowls from Mr. Jones?" "Yes, sir, I can prove it." "How can you prove it?" "I can prove that I did not steal Mr. Jones's fowls, judge, because I stole two hens from Mr. Gaston the same night, and Jones lives five

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miles from Gaston's." "The proof is conclusive," said the judge; "discharge the prisoner!"

WHAT IS JUSTICE?—That, on the whole, is the question of the sphinx to us. The law of Fact is, that justice must and will be done. "What is justice?" ask many, to whom cruel Fact alone will be able to prove responsive.

It is like jesting Pilate asking, What is truth? "What is justice?" The clothed embodied Justice that sits in Westminster Hall, with penalties, parchments, tip-staves, is very visible. But the unembodied Justice, whereof that other is either an emblem, or else is a fearful indescribability, is not so visible!—*Carlyle.*

THE LETTERS OF SLANES—These are in the law of Scotland bonds of security. By letters of Slanes, the heirs and relations of a person who had been murdered, bound themselves, in consideration of an assythment or composition paid to them, to forgive, "pass over," and for "ever forget."

Marculsus, and other collectors of ancient writs, have preserved several forms of such bonds.

CROSS-EXAMINATION.—A well-known lawyer declared one day at a dinner, that the biggest thing he had ever done was to cross-examine a man until he did not know whether he was married or not.

FEODUM.—A charter of King Robert of France, A.D. 1008, is the earliest deed in which this word is to be found. Feodum is compounded of "od," possession or estate, and "feo," wages, pay, intimating that it was stipendiary, and granted as a recompense for service.

EXTENUATING CIRCUMSTANCES.—Judge: "Prisoner, what have you to say in your defence?" Prisoner: "Your lordship sees that I have engaged no lawyer to defend me, and I trust this mitigating circumstance will be taken into account." —*Il Secolo.*

COMMON LAW.—The first compilation on this subject was made by Lord Chief Justice Glanville, in his "Tractatus de Legibus et Consuetudinibus Anglicæ," composed about the year 1181.

ELOQUENCE.—A lawyer who was defending a suit for a widow, in the fervour of his zeal in his client's cause, exclaimed, "Gentlemen of the jury, a man who would be so mean as to sue a helpless widow-woman, ought to be kicked

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to death by a jackass; and, gentlemen"—here the eloquent counsel turned towards the judge—"I wish his honour would here and now appoint me to do the kicking!"

STAR CHAMBER.—*Camera stellata* (*La Chambre des esteilles*). Its name is said to be derived from a Saxon word to "steer," or govern; or from its punishing the "crimen stellionatus," or cozenage; or because the room wherein it sat, the old council-chamber of the palace of Westminster, was full of windows. Others say the name is derived from the first contracts and obligations of the Jews before their banishment under Edward I., denominated in ancient records "starra," or "starrs," from a corruption of the Hebrew word "shetar," a covenant.

LES ROUÉS DE LA RÉVOLUTION.—"Roué" properly signifies "a criminal that has been broken on the wheel;" the term then became applied to persons who deserved this horrible legal punishment.

JURISTS.—The four great luminaries of Roman jurisprudence were Gaius, Papinian, Paul, and Modestinus.

DIFFERENCE OF OPINION.—A barrister was defending a man who was tried on a charge of manslaughter. The accused acknowledged his guilt. "Then there's an end of the case," said the judge. "How so, my lord?" inquired the counsel for the defence. "The man acknowledges that he is guilty," replied the judge. "That may be," added the barrister, "but I don't acknowledge anything of the kind."

A JOURNEY FROM THIS WORLD TO THE NEXT.—The proceedings of Judge Minos at the gate of Elysium:—"I now got near enough to the gate to hear the several claims of those who endeavoured to pass. The first, among other pretensions, set forth that he had been very liberal to an hospital; but Minos answered "Ostentation," and repulsed him. The second exhibited that he had constantly frequented his church, and been a rigid observer of fast-days. He likewise represented the great animosity he had shown to vice in others, which never escaped his severest censure; and, as to his own behaviour, he had never once been guilty of drinking, gluttony, or any other excess. He said he had disinherited his son for getting a bastard. 'Have you so?' said Minos. 'Then pray return into the other world and beget another; for such an unnatural rascal shall never pass this gate.' A dozen others who had advanced with very confident countenances, seeing him rejected, turned about of their own

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accord, declaring if he could not pass they had no expectation, and accordingly they followed him back to earth."—*Fielding.*

LYCURGUS, THE LAWGIVER, lived in the fifth generation after Althemenes, who founded a colony in Crete at the same time that Patrocles, Lycurgus's ancestor in the fifth degree, laid the foundation of Sparta (*Strabo*). Lycurgus pretended to have obtained his laws direct from Apollo.

"Ye sons of Sparta, who at Phœbus' shrine
Your humble vows prefer, attentive hear
The god's decision—o'er your beauteous lands.
Two guardian kings, a senate, and the voice
Of the concurring people, lasting laws
Shall with joint power establish."

Tyrtæus.

THE POOR LAWS—In England are distinctly socialistic in their tendencies; because if a man refuses to provide maintenance by his own labour, the Poor Law gives him a right to claim this maintenance from the public. This weakening and lessening of individual responsibility may be regarded as the most prominent characteristic of socialism.

JONATHAN WILD.—This prince of legal robbers, like that eminent vagabond, Bamfylde Moore Carew, the king of the beggars, wanted nothing but a good family, competent fortune, and liberal education to have made him an illustrious modern statesman, and to have been rewarded with a ribbon and a coronet instead of a rope.

BARRATRY—Is a forensic term borrowed from the Normans; the Anglo-Norman "baret" signifying a quarrel or contention.

A BOMBASTIC LAWYER was arguing a case before a jury, in the course of which he delivered himself of the following specimen of mock eloquence: "But, gentlemen, the whole subject is in the dark entirely, till we come to the testimony of Mr. B. Then it is that the cloud of doubt begins to crack, and the cat is let out of the bag!"

LORD KENYON expressed doubts whether Lord Thanet and others, for a riot in court at the trial of Arthur O'Connor, should not lose their right hands. In consequence of these doubts, the Attorney-General entered a "nolle prosequi," and the court pronounced judgment of fine and imprisonment instead.

THE THIEF AND THE PRIEST.—A certaine thiefe, meeting a priest in a wood, sayde, "I would be confest, because to-day,

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passing here-through, I met another priest, from whom I have taken his horse; for which I ask thee to enjoyne me penance." "Give mee," saith the priest, "five shillings for the celebrating of your masse." The thiefe bethinking himself, gave unto him ten. "Behold," quoth he, "here is five shillings for that horse which I take from him, and five shillings likewise for that which I will take from thee, and so since you make so faire a market, absolve for both together."

JUS EMPHYTEUTICARIUM—Generally called "emphyteusis," was the right of enjoying all the fruits, and disposing at pleasure, of the thing of another, subject to the payment of a yearly rental ("pensio" or canon) to the owner.

Formerly the lands of the Roman people, the municipalities, and the college of priests, used to be let for different terms of years, sometimes for a short term, such as five years, sometimes for a term amounting almost to a perpetuity, under the name of "agri vectigales."—*Gai. III.* 145.

AN HONEST MAYOR of a towne, being all mercy and no justice, loving ease and quietness, and unwilling to commit any offence or offender, one said of him that he was like the herbe John in a pottage-pot, for that herbe did not give any taste at all, either good or bad, but an excellent colour; so the mayor did neither good nor harme, but (as an image of a mayor's authority) filled up the roome.

LAW BURROWS.—If any man suspected himself in any danger from the malice or enmity of another, upon his making oath to that effect before a magistrate, the person suspected was bound under a severe penalty to give security for his peaceable behaviour. This is still known in Scotland under the above name.

CROSS-EXAMINATION.—A well-known barrister at the criminal bar, who prides himself upon his skill in cross-examining a witness, had an odd-looking genius upon whom to operate. "You say, sir, that the prisoner is a thief?" "Yes, sir—'cause why she confessed it." "And you also swear she bound shoes for you subsequent to the confession?" "I do, sir." "Then," giving a sagacious look at the court, "we are to understand that you employ dishonest people to work for you, even after their rascalities are known?" "Of course! how else could I get assistance from a lawyer?" "Stand down!" shouted the man of law.

A SPECIAL PLEADER—Appears to be of the spider kind; they alike spin their web for the destruction of weak and un-

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wary prey. One murders the little innocent fly that flutters in the sunshine, the other strangles justice in his nets of form; both are equally pernicious and poisonous. Tully, that terrestrial god of literature, seems to have known something of these sort of men, and he thus describes them: "Leguleius quidam cautus et acutus, præco actionum, cantor formularum, auceps syllabarum."

RES MANCIPI *v.* RES NON MANCIPI. — The first were "prædia" in "Italico solo," whether in the country or the city; servitudes over these "prædia" when in the country; slaves and four-footed animals, as oxen and horses, tamed for the service of men, all other things were "nec mancipi."—*Ulpian.*

JUDICIAL JOKES. — During the chancellorship of Lord Eldon, the following scene took place. A counsel at the chancery bar, by way of denying collusion suspected to exist between them and the counsel who represented another party, having said, "My lord, I assure you there is no understanding between us," Lord Eldon observed, "I once heard a squire in the House of Commons say of himself and another squire, 'We have never through life had one idea between us;' but I tremble for the suitors when I am told that two eminent practitioners have no understanding between them."

NEC VULTUS INDICAT VIRUM.—

Dick, in a raging deep discourtesy,
Calls an attorney mere necessity:
The more knave he; admit he had no law,
Must he be flouted at by every daw?

LAW OF THE LAND. — If Sir William Blackstone, Mr. Paley, Aristotle, Cicero, Puffendorf, and Grotius had been placed together, with their families, upon an uninhabited island, surely they would have all acknowledged, and would have enforced, the universal precept of "suum cuique tribunus," before they had agreed amongst themselves upon any particular system of rules, which were to have constituted their law of the land.

SOVEREIGN LEGAL RIGHTS.—

The king has no right to game.
Has no right to "bona vacantia."
Has a right to treasure trove.
Has a right to whales, sturgeons, and wild swans.
Has no claim in a "parlieu."
Has no right to wild fowl.

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LAWYER AND CLIENT.—A company is seated at the hospitable board of a rich and respected merchant. A barrister who has risen into fame, relates his early experiences. "I was terribly fluttered at first, and the more so as my first client was, as I discovered during the trial, and since then, an arrant impostor and knave. But what could I do? He moved in the highest position, and a scandal would have brought disgrace on his family. It being my first case, I was bound to make the best of it, and managed to pull him through." Dinner over, the guests passed into the drawing-room, where they were soon joined by an important personage, a new friend of the host, who was immediately introduced to the young lawyer. "Why, I know this gentleman, and very well, too! Ah, young man! you owe your success to me. It was I who brought you your first brief. Yes, ladies, I was the first client of Maître X."—*Le Petit Journal.*

DECIMA, Lat. "Part the tenth;" Sax. "Teotha," tithe. That part (or share) which even now is given of the produce of the earth in many countries by agriculturists, but not by merchants, mechanics, and the ministers of the altar. The institution is very ancient. Abraham gave the tenth of the booty taken from several kings to Melchizedek, who rewarded him with a blessing. According to the example of the father of believers, the Hebrew people gave the tenth to their priests: and the holy institution having been found good, was also admitted in their favour by the ministers of Christianity. The ancient Pagans offered the tenth to Hercules, according to Varro; likewise to other deities, as asserted by Cicero. The tenth of the produce of the earth, under the name of "vectigalia," was poured into the magazines of the Radical Republic.

LAUGHTER IN COURT.—"Mr. Pickwick envied the facility with which Mr. Peter Magnus' friends were amused."—*Dickens.* Scene—any court. Time—any trial. *Q.C.* What sort of a night was it? *Witness.* It was dark. (Laughter.) *Judge.* My learned friend hardly expected the night to be light, I should think. (Laughter.) *Junior.* Perhaps, m'lud, the learned counsel was thinking of a night-light. (Roars of laughter.) *Q.C.* Well, we'll take it was a dark night. You went out for a stroll? *Witness.* No, I went out for a walk. *Judge.* At any rate the witness was walking about. *Witness.* No, my lord, I wasn't walking a "bout." I was walking

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fast. (Great laughter.) *Q.C.* You were walking fast. Now did you see anything? *Witness.* I saw the prisoner. *Q.C.* Well, tell us what he was doing. *Witness.* He was doing nothing. (Laughter.) *Judge.* How did he do it? (Renewed laughter.) *Witness.* Very easily, my lord. (Laughter.) *Junior.* Like a briefless barrister, m'lud. (Roars of laughter.) *Q.C.* Did he continue to do nothing long? *Witness.* No, he soon seemed to get tired of it. *Q.C.* What did he do then? *Witness.* He went into a public-house. *Q.C.* What for? *Witness.* What does my learned friend go into a public-house for? (Great laughter.) *Q.C.* Will you answer my question? *Witness.* He went for some rum-shrub. *Q.C.* (proud of his acquaintance with slang, and with a knowing look towards the junior bar), It was a very rum plant the prisoner was engaged on. (Shrieks of laughter, during which the court rose, being too convulsed to transact any further business.)—*Punch.*

AN ILLEGAL NOTICE.—"Take notice, we have lately heard and seen that there is an Act passed, that whatever poacher is caught destroying game, is to be transported for seven years.

This is English liberty.

"Now do we swear to each other, that the first of our company that this law is inflicted on, that there shall not be one gentleman's seat escape the rage of fire. We are nine in number; and we will burn down every gentleman's house of note. The first that impeaches shall be shot. We have sworn not to impeach. You may think it a threat, but they will find it a reality. The game laws were too severe before. The Lord of all men sent these animals for the peasant as well as the prince."—*The Bath Newspaper, Oct. 21st,* 1816.

LAWYERS' BILLS.—"Do you imagine that we are possessed by so inconceivable or monstrous a taste, that we like paying lawyers' bills? Lawyers' bills are as odious to the squire as to any other member of the human race. I will venture to say there is no squire who would not gladly welcome any measure by which that great evil might not be checked. But my experience is, having seen successive great masters of the law address themselves to this great problem, and having seen my lawyers' bills concurrently increased by a steady ratio, I have become very sceptical of all promises of remedy in this respect."—*Lord Salisbury, Thursday, Oct. 8th,* 1885.

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LAWYERS' SLEEPLESS NIGHTS.—It is probably true, as observed by Counsellor Pleydell, that a lawyer's anxiety about his case, supposing him to have been some time in practice, will seldom disturb his rest or digestion. Clients will, however, fondly sometimes entertain a different opinion. I was told by an excellent judge, now no more, of a county gentleman who (addressing his leading counsel, my informer, then an advocate in great practice, on the morning of the day on which the case was to be pleaded) said with singular *bonhomie*,—

"Weel, my lord" (the counsel was then Lord-Advocate), "the awful day is come at last. I havena' been able to sleep a wink for think of it, nor I daresay your lordship either!" —*Sir Walter Scott.*

SWANS.—In the thirty-fourth year of the reign of Elizabeth, the Queen claimed "volatus cignorum et cignettorum ferorum vocatas," a "game" of wild swans swimming in the estuary of Abbotsbury in the county of Dorset. Lady Joan Young was the defendant, who pleaded in her defence that the Abbot of Abbotsbury had enjoyed by prescription all the swans swimming upon that estuary, and had been accustomed to mark them every year by cutting off one pinion of one wing; that he surrendered the premises to Henry VIII., who granted the same to Giles Strangeways, Esq., from whom she derived her title. The sheriff had seized 400 white swans, which he retained for the legal owner; and judgment was given for the queen, because the prescription was improperly pleaded. It was then resolved by the legal limbs of the period—"That all white swans not marked, which have gained their natural liberty, and are swimming in an open and common river, might be seized to the king's use by his prerogative, because 'volatilia (quæ sunt feræ naturæ) alia sunt regalia, alia communia:' and so 'aquatilium alia sunt regalia, alia communia:' as a swan is a royal fowl, and all those, the property whereof is not known, do belong to the king by his prerogative."

BARON CHANNELL AND HIS LUNCHEON.—He was a great eater, and at one o'clock precisely, whatever the state of the case being tried before him, the court adjourned for lunch, and an excellent lunch it was. When the courts of assizes are at any distance from the judges' lodgings, the judges' cook, who travels round circuit with them, usually asks the judges before starting for the court in the sheriff's carriage in the morning

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what he shall send them down for lunch. Baron Channell and Justice B. were descending the stairs side by side, when the cook made the usual inquiry. "Oh!" said Channell, who was senior judge, in the short clipping words and style peculiar to him, "send me my lunch at one punctually, mind. I'll have—let me see—I'll have a basin of clear mock turtle and a chicken, and some peas and potatoes, and an apple tart, and some sherry and seltzer; at one, mind, not later." "Yes, my lud," replied the cook; and turning to Justice B., "What shall I send your lordship?" "Oh, thank you, cook," was the reply in the slow, solemn, and almost mournful voice of the brother judge, "I'll have what I have at half-past one; then it won't disturb Baron Channell. I'll have, if you please, at half-past one, a piece of stale seed cake and some camomile tea."

ROMAN LAW—Defined legal matrimony to be only between a Roman man and a Roman woman (legitimæ sunt nuptiæ, si Romanus Romanam nuptiis intervenientibus, vel consensu ducat· Uxorem. CAII Instit. Lib. I. Tit. IV. De Matrimon.), and forbid it with foreigners or slaves; in the same manner as it is prohibited in the Jewish law. Exod. c. xxxiv. v. 16, compared with 1 Kings c. xi. v. 2, would induce one to think that this law was not universal against all foreigners, but levelled against neighbouring nations, the Ammonites and Moabites, who did not meet Israel in their journey. How else could Moses marry first an Arab, and then an Æthiopian, or Moor, if as some think, they were different persons?

GAME.—If a nobleman or a gentleman, who had two manors or two estates, were to sell the game upon one, the game upon the other would be greatly augmented; or in every case, if a legal qualified man thus publicly sold one half of his game, he would probably find, by experience, that this is one of the instances in which the Greek proverb would be found to be true, that "One half is greater than the whole"—

Τὸ ἥμισυ πλέον τοῦ παντός.

THE HANGMAN'S LAST WILL AND TESTAMENT, with his legacy to the nine worthies, viz. Colonel Lambert, Creed, &c.

I have lived to see such wretchednesse,
When none but honesty are crimes,
That my ropes are turn'd into rimes,
I and my gallows groan.

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Things are so carried I can't tell how,
There's as many above still as are below,
I have hang'd such in shirts as white as snow.
I and my gallows groan.

Oliver he lived by a plot,
The Parliament sits still, and why not?
And I fared well by a bow-knot,
I and my gallows groan.

All my delight was in a jayl,
My estate was got at a cart's tayl,
I know not what these people ayle,
I and my gallows groan.

Oliver he a coach would drive,
And was honey in the Parliament's bee-hive,
Neither he nor I loved a reprive.
I and my gallows groan.

I wish I had had his protector's rest,
I'de have laid it an earnest for a jest,
But Sir Harry Vane's worth all the rest.
I and my gallows groan.

I have chopt off many a worthy head,
And thanks to the sheriffs have been well fed,
But that I can dock must never be sed.
I and my gallows groan.

Lambert I knew was troubled with the yellows,
And more perplexed with his fellows;
Had I liv'd I'de cured him at the gallows;
I and my gallows groan.

Never was any so bad as my trade,
The nine worthies would have made,
As a drudge before something a jade,
I and my gallows groan.

But I had got nothing by the thing,
There's indempnity against the string,
But my heir may get by a forward spring,
I and my gallows groan.

I see John Lilburn at a bar,
And Sir George Booth, that man of war
But could get neither in my car.
I and my gallows groan.

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I think the ordinaries long prayer,
Hath spoyl'd frequenting of my fair;
Till all long-winded R—— are there,
I and my gallows groan.

For half thirteen-pence halfpenny wages,
I would have cleared all the town cages,
And you should have been rid of all the sages
I and my gallows groan.

There was much climbing among the grandees
Yet they all I see know the wood from the trees,
And all to cousin me of my fees,
I and my gallows groan.

The High Court of Justice was out of use,
The thieves and the bench had made a truce
For want of authority, a lean excuse.
I and my gallows groan.

'Twould vex anybody to keep an axe
As long as there are any Alderman Packs,
Or Desborough eke with his wide sacks,
I and my gallows groan.

That Duckenfield, Packer, and Major Creed,
Of my helping hand should have such need,
When I am not able to do the deed,
I and my gallows groan.

Lambert would also borrow the block,
* * * * *
But like him I must patiently bear this mock,
I and my gallows groan.

Fleetwood also lacks some of my skill,
And that I can't do't, folks take it ill,
I'de hang 'um all, if I could have my will,
I and my gallows groan.

'Tis vain to look for old men's shoes,
Else I had had Hewson in a noose,
But my successor won't him loose,
I and my gallows groan.

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Tyburn was once in mourning clad,
For a great man, and I also very sad,
A full bunch will make you all glad,
I and my gallows groan.
A Rump Song.

LEGAL LIGHT.—In burglary, by the common law, the night is defined to be that time when there is not sufficient light from the sun to distinguish a man's face; and juries are always told that there may be such a light for one hour after the sun sets, and one hour before it rises.

AN ACCOMMODATING JUDGE.—Judge Walton, while holding a term of the Supreme Court, sentenced a man to seven years in prison for a grave offence. The respondent's counsel asked for a mitigation of the sentence, on the ground of the prisoner's health being very poor. "Your lordship," said he, "I am satisfied that my client cannot live out half that term, and I beg of you to change the sentence." "Well, under those circumstances," said the judge, "I will change the sentence; I will make it for life, instead of seven years." It is needless to add that the respondent agreed to abide by the original sentence.

JUDICIAL FINES.—A Duke of Devonshire had a fine imposed upon him of 30,000*l.* for striking within the limits of one of his Majesty's palaces.

LEGAL ADVICE.—A cantankerous old judge, after hearing a flowery discourse from a pretentious young barrister, advised him to pluck out some of the feathers from the wings of his imagination, and put them into the tail of his judgment.

LAW AND WOMAN'S AGE.—There is no country in the world in which women speak the truth in regard to their age. At Paris, about a month ago, a maiden of forty-eight and a woman of sixty-nine had occasion to go before a magistrate as witnesses in a case which concerned the honour of a widow of their acquaintance. The magistrate, first addressing himself to the married lady, asked her age, and although her years might have been counted on her brow, she unhesitatingly replied that she was exactly forty. "And you, madam," said the man of law, addressing the single lady in her turn, "may I ask your age also?" "We can dispense with that, your worship," replied the damsel; "it is a question that ought not to be asked." "Impossible!" replied the legal limb; "are you not aware that the law requires—?"

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"Oh!" interrupted the lady sharply, "the law requires nothing of the kind! What matters it to the law what my age may be? It is none of its business!" "But, madam," said the magistrate, "I cannot receive your testimony unless your age is stated; it is a necessary preliminary, I assure you." "Well," replied the maiden, "if it be absolutely necessary, look at me with attention, and put down my age conscientiously." The magistrate looked at her over his spectacles, and was polite enough to decree that she did not appear above twenty-eight. But when to his question, as to how long she had known the widow, the witness replied before her marriage, "I have made a mistake," said he, "for I have put you down for twenty-eight, whereas it is nine-and-twenty years since the lady became a wife." "You may state then," cried the maiden, "that I am thirty. I may have known the widow since I was one year old." "That will hardly do," replied the magistrate; "we may as well add a dozen years at once!" "By no means," said the lady; "I will allow another year, if you please; but if my own honour were in question instead of the widow's, I would not add one month more to please the law, or anybody in the world!"

A YOUNG COUNSEL, practising before Lord Ellenborough, was beginning to recite a long speech, when his memory failed him. "My lord," said he, "the unfortunate client, who appears by me—my lord, my unfortunate client—" The Lord Chief Justice interfered, and in a gruff voice said, "You may go on, sir; so far the court is quite with you."

LANDLORD AND TENANT.—
Says his landlord to Pat, "Your rent I must raise,
I'm so plaguedly pinch'd for the pelf!"
"Raise my rent!" replies Pat; "your honor's main good,
For I never can raise it myself!"

A LAWYER'S LETTER.—Kennedy, on one occasion, was given the following to put into Latin verse, by one who was sceptical as to his reputed powers of treating successfully the most unpromising subjects:—

"REV. SIR,—Your attendance is requested at a meeting of the Bridge Committee, to be held at 12 noon, on Saturday, the 5th November, to consider Mr. Diffle's proposal as to the laying down of gas-pipes.

"We are, Rev. Sir,
"Your obedient servants,
"SMITH AND SON,
"Solicitors."

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Appeared the following :—

Concilio bonus intersis de Ponte rogamus
Saturni sacro, vir reverende, die.
Nonæ, ne frustrere, dies erit ille Novembres,
Sextaque delectos convocat hora viros.
Carbonum luci suadet struxisse canales
Diphilus ; ambigitur prosit an obsit opus.
Hanc, tibi devincti, Fabri, natusque paterque,
Actores, socii, vir reverende, dabant.

INTERFERING WITH THE POLICE.—One night late—it might be early in the morning—I was in Piccadilly, and attracted by a gathering of people, I came upon a policeman struggling with a powerful drunken woman. She had either fallen down, or been thrown down, and he had fallen on her. There were expressions of indignation being uttered by the persons around, and a row seemed imminent. "Why do you not spring your rattle? You will hurt the woman." He jumped up, and seizing me by the collar, said, "I take you into custody for obstructing me in the execution of my duty!" I remained perfectly passive, and in the meantime another constable had come up, and had seized the woman, whom he was handling very roughly. At this moment, Sir Alexander Cockburn, the Attorney-General, who was returning from the House of Commons, appeared upon the scene, and seeing a woman, as he thought, ill-used, remonstrated in indignant language with the officer, upon which the constable who had hold of me stretched out his other arm, and said, "I arrest you also." "Arrest me!" exclaimed the astonished Attorney-General; "what for?" "Oh," said my captor, "for many things. You are well known to the police."—*Ballantine.*

A MAGISTRATE.—A speaking law, whose oracles are by no means infallible.

VAIN REGRETS.—Counsel for the defence: "That my client was driven to commit the offence from sheer necessity, is plainly seen in the fact that he only took the trifling amount of cash which was in the drawer, whilst leaving untouched the pocket-book with notes to the value of 2000 marks, which was lying close by." Judge: "But what are you crying for?" Prisoner (sobbing): "Because I didn't see the pocket-book!"—*Fliegende Blätter.*

CHICANERY.—A blind passion for destroying one another by means of legal subtleties and captious distinctions.

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BOLLAND. — A highwayman of that name, confined in Newgate, sent for a lawyer to know how he could defer his trial, and was answered, "By getting a doctor to make affidavit of your illness." This was accordingly done in the following manner :—" The deponent verily believes that if the said James Bolland is obliged to take his trial at the ensuing sessions, he will be in imminent danger of his life." To which the learned judge on the bench answered, " That he verily believed so too." The trial was ordered to proceed immediately.

AN ATTORNEY.—A cat that settles differences between mice.

COUNSELLOR.—A man, whom the glorious uncertainty of the law, with his own experience in judgments, has rendered sceptical with respect to every cause, and who therefore undertakes every one that offers itself.

LAW—Ought to be not a luxury for the rich, but a remedy to be easily, cheaply, and speedily obtained by the poor. A person observed how excellent are the English laws, because they are impartial, and our courts of justice are open to all persons without distinction. And so is the London Tavern to such as can afford to pay for their entertainment, was the reply.—*Horne Tooke.*

IMPUNITY.—A silence of the laws, or an interpretation of them in favour of rich and powerful culprits. Encouragement given to vices or crimes which the laws wink at.

EXAMINATION AT BOW STREET. — A prisoner being brought up to Bow Street, the following dialogue passed between him and the sitting magistrate :—" How do you live ?" " Pretty well, sir ; generally a joint and pudding at dinner !" " I mean, sir, how do you get your bread ?" " I beg your worship's pardon ; sometimes at the baker's, and sometimes at the chandler's shop." " You may be as witty as you please, sir, but I mean simply to ask you how you do ?" " Tolerably well, I thank your worship ; I hope your worship is well."

ENGLAND.—The land of legal philanthropy, most of whose inhabitants would lay the world in blood to sell a yard of cotton ; a country in which, according to Caraccioli, there is nothing polished but marble, nor any ripe fruit but roasted apples.

SWEARING THE PEACE.—An Irishman, swearing the peace

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against his three sons, thus concluded his affidavit: "And this deponent further saith, that the only one of his children who showed him any real filial affection was his youngest son Larty, for he never struck him when he was down!"

DUEL.—An act of sovereignty exercised by a private individual; an assassination which is both legally prohibited and encouraged; a contradiction between custom and law: if I fight, I incur the penalties of the law; if I do not fight, I lose my honour.

A QUAKER AND JUSTICE.—A Quaker, some time since, having been cited as an evidence at a quarter sessions, one of the magistrates, who had been a blacksmith, desired to know why he would not take off his hat? "It is a privilege," said the Quaker, "that the laws and liberty of my country indulge people of our religious mode of thinking in." "If I had it in my power," replied the magistrate, "I would have your hat nailed to your head." "I thought," said Obadiah, dryly, "that thou hadst given over the trade of driving nails."

DELICACY.—A word which is incessantly coming from the mouths of attorneys, tradesmen, law clerks, heirs, and financiers.

BRICKLAYER AND LORD CHANCELLOR.—These are two gentlemen whose continuance in your service are said to be equally proverbial, viz., a bricklayer and the Lord Chancellor. Get one into your house, and the other into your affairs, and they are equally pleasant and durable.

TRIAL BY WAGER OF BATTLE.—Abraham Thornton, on the 6th of November, 1817, availed himself of this barbarous privilege extended to him by antiquated and absurd laws. The folly of admitting that "right should follow might" must be obvious to all; besides, there are other ridiculous points that make it unpalatable to an enlightened age. For instance, if the appellant be a widow of the murdered person, and in just indignation should proceed against the murderer, yet if she should marry before the appeal comes into court, then she can have no redress against the slayer of her first husband, because, in the eyes of our old legislators, one man was as good as another; and as she was thus supposed to have taken compensation into her own hands, she was not entitled to receive any from law. Again, though the appellee, if found guilty, would be out of the reach of the pardon from the Crown, yet the appellant might sell his life to him for any sum he liked to ask. This last mode of esti-

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mating a man's life like that of an ox or a sheep, was a remnant of the most barbarous ages, and is still to be found among many tribes of African and Indian savages.

DIFFERENCE BETWEEN TRADING DEBTS AND DEBTS OF HONOUR.—Some time ago the "Honourable" Mr. Charles Fox, having a gambling debt to pay to Sir John L., or rather, as he was familiarly called, Sir John Jehu, finding himself in cash, after a lucky run at the faro-table, he sent a card of compliments to Sir John, desiring to see him, in order to discharge his demand. When they met, Charles immediately produced the money, which Sir John no sooner saw than he called for pen and ink, and very deliberately began to reckon up the interest. "What are you doing now?" cried Charles. "Only calculating what the interest amounts to!" replied the other. "Are you so?" returned Charles, coolly, and at the same time pocketing the cash, which he had already thrown on the table. "Why I thought, Sir John, that my debt to you was a debt of honour; but as you seem to view it in another light, and mean seriously to make a trading debt of it, I must inform you that I make it an invariable rule to pay my Jew creditors last. You must, therefore, wait a little longer for your money, sir; and when I pay my money-lending Israelites for the principal and interest, I shall most certainly think of Sir John Jehu, and expect the honour of seeing him in the company of my worthy friends from Duke's Place."

PUNISHMENT.—A penalty imposed by the laws. Among the English the principal civil punishments are (were) fines, imprisonments, the stocks, pillory, nose-slitting, ear-cuttings, pressing, burning in the hand, bone-smashing (the boot), whipping, ducking-stool, hanging, beheading, disembowelling, quartering, burning, transportation, &c., &c. The ecclesiastical punishments are censures, suspensions, deprivations, degradations, excommunications, anathemas, penances, &c.

MR. JUSTICE CATLINE.—Mr. Bromley, solicitor, giving evidence for a deed, which was impeached to be fraudulent, was urged by the counsel on the other side with this presumption, "That in two other suits when title was made, that deed was passed over in silence, and some other conveyance stood upon." Mr. Justice Catline, taking in with that side, asked the solicitor: "I pray thee, Mr. Solicitor, let me ask you a familiar question:—I have two geldings in my stable; I have divers times business of importance, and still I send forth one of my

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geldings, and not the other; would you not think I set him aside for a jade?" "No, my lord," said Bromley, "I would think you spared him for your own saddle."—*Bacon's Apothegms.*

DELIBERATIONS OF JURIES.—The rule of law which compels a jury to be unanimous, however various their opinions may originally be, has doubtless given rise to many singular scenes. On the trial of the seven bishops, in the reign of James II., the jury withdrew in deliberation the whole of the night, owing, as it is supposed, to the obstinacy of one Arnold, the king's brewer.—*Macpherson's State Papers,* vol. i. p. 265.

A MARRIAGE SETTLEMENT.—Two parties of rank in the province of Armagnac were married in 1295. The articles were as follows:—That the parties should live together as man and wife during the term of seven years, and then, if they agreed, they had the liberty of extending the duration. If, on the contrary, at the expiration of seven years they wished to be parted, they were to divide the children equally, boys and girls; if the number was not equal, they should then draw lots for the majority.—*M. de Valois.*

ABUSE IN PRISON GOVERNMENT.—John Howard was born in Hackney in 1726. He was related to the Whitbread family, and in 1773, serving the office of high sheriff, he conceived the design of visiting the whole circle of British prisons. He next extended his views to foreign prisons, of which he published accounts in 1777—1789. It may not be irrelevant to add, that this ameliorator of legal misery forbad the application of a large subscription made in his life for erecting a statue to his honour.

CHIMNEYS—Are of about the date of King Alfred. They are found in cathedrals built soon after that reign. Their method of cleansing them cannot be ascertained. They were perhaps sufficiently large to burn clean; but it is probable that they cleansed them with birchen brooms fixed to long poles, or, when too lofty, with drawing straw and bushes down them. Though climbing chimneys may not be a very ancient discovery, its origin cannot be traced. In this Christian country chimneys used to be swept with the naked and shivering bodies of human beings. But thanks to the noble exertions of the late Mr. Hanway and Mrs. Montague, this British slavery has at last been made illegal.

THE MONEY-LENDER.—Let not the reader's imagination here depict an old Jew in a brown wrapping-coat, with brass

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buttons large as saucers! These Shylockisms now exist only in scenic representation. Our Jew of the nineteenth century must be conceived a perfect mandrake of everything fashionable, luxurious, and elegant! An opera-box, a harem both private and public, the daily solace of "the sumptuous feast, enhanced by music's sound," with every freak of wild-paced dissipation, will scarcely suffice the description! His chambers fumigated with perfumes for his "riposa deliciosa," and his coach actually cornered with coronets, must assist the true conception of the character. Thus revelling in scandalous security by the tortuous misapplication of great natural endowments, under the protection of the gold-hired legal assistance of perverted reason and law logic, in the sports of the youthful, the unwary, the helpless, and too often of the unfortunate industrious!

THE OFFICE OF AN ESCHETOR is set forth in these few lines:

Regia demandunt brevia Eschætoribus ista
Cognoscenda; sibi quæ sint Attinetio donet;
Quantum de sese; quantum de alijsq; tenebat;
Per quæ servitia tenuit; quantumq; valebant
Terræ: quoq; die concessit, Et hæres
Quis nam proximior; cuiusq; ætatis ab ortu.

Temp. 1630.

NOTE.—Where the value of the lands to be enquired of doe exceed the value of five pounds per annum, there he must enquire onely by vertue of writ; where the lands are under that value, he may enquire by vertue of office and that writ. In every case the Inquisition found must bee returned into the petty bagge, &c.

"I will be cheaters to them both, and they shall be exchequers to me."—*Merry Wives of Windsor.*

ENLARGING IDEAS.—A Radical orator, being examined in a court of law touching an enormous charge made by himself for business not done, was asked upon what pretension 120*l.* was charged as his compensation? The reply was, "For enlarging the ideas of the public."

All ranks and all degrees demonstrate well
Thalia's maxim, "Vive la bagatelle!"
This truth the various walks of varying men shall tell,
Smiles not the lawyer when he scents a long suit?
Nor sinks his laugh at bill for client's non-suit!

NO USURY LAWS.—"I mosgt afraid America ish no conetry for te Jewsh, no more ash Scotland ish, vitch hash notink

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in it at all put pride, ant poverty, ant oatmeal, ant viskey. Te Yankee all knowsh too much for us, and too much wide awake, and so sharp ash a needle at making von pargain, vitch give no chansh at all to a poor Jew. Den dey have no prinches, nor noples, nor rish lorts vat spend de monish before he becomes tu, and runsh in debt, and gives ponds, ant mortgage, ant premium for te loan, and asksh no questions bout de cosht so lonk as he gets varte monish he wantsh. Den dere railroat stocksh, and pank stock, and state stock, are just fete for to loshe all you putsh into dem, or elsh dey would pay dem demselves if dere wash anytink at all for to pe mate in dem, vitch tere aint, and dey knowsh it so well ash I do, and more petter."—*Extract of a letter from Mr. Moses Levy to Mr. Levi Moses.*

EUROPEAN LAWYERS AND EASTERN PUNDITS.—It may seem odd that a charter of legal conveyance should be ranked among the literary compositions of any people. But so widely do the manners of the Hindoos differ from those of Europe, that as English lawyers multiply words and clauses, in order to render a grant complete, and to guard against everything that may invalidate it, the pundits seem to despatch the legal part of the deed with brevity, but in a long preamble and conclusion make an extraordinary display of their own learning, eloquence, and powers of composition, both in prose and verse. The preamble to one of these deeds is generally an encomium of the monarch who grants the land, in a bold strain of Eastern exaggeration : "When his innumerable army marched, the heavens were so filled with the dust of their feet that the birds of the air could rest upon it." "His elephants moved like walking mountains, and the earth, oppressed by their weight, mouldered into dust." Sometimes concluding with denouncing vengeance against those who should venture to infringe this grant. "Riches and the life of man are as transient as drops of water upon a leaf of the lotus. Learning this truth, O man, do not attempt to deprive another of his property."

PARCHMENT.—Prior to the seventh and eighth centuries, the greater part of the public deeds in Italy and in other countries of Europe were written upon paper fabricated of the Egyptian papyrus; but after that period, as Europeans no longer ventured to trade in Alexandria, almost all charters and other deeds are written upon parchment. "You are like virgin parchment, capable of any inscription, vicious or honourable."—*Murat., Antiq. Ital. Medii Ævi*, vol. iii. p. 832.

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JUSTICE ASLEEP, or Magisterial Advice.—A patient one day called on the late Doctor Malley, and said, "Doctor, tell me what I am to do. I have tried everything, and yet I cannot get to sleep." The doctor reflected a long time. At length he said, "You have tried Bromide of Ammonia?" "Yes, yes." "Then you had better take a seat on the bench."

PRISON AND PRISONERS.—Just observe the gaolers at the entrance of this horrible place. The poets of antiquity placed but one Cerberus at the gate of their Hell; there are many more here, as you perceive. They are creatures who have lost all the feelings of humanity, if they ever possessed any; but I observe that you are looking with horror on those cells whose only furniture consists of a wretched bed—those dungeons appear to you as so many tombs. You are reasonably astonished at the misery you behold, and you deplore the fate of those unhappy persons whom the law detains.

IMPRISONMENT FOR DEBT.—I shall offer the calculation made by Doctor Johnson, anno 1758, since which time our increase of commercial credit and habitual luxury must have swelled the numbers to a most horrific total! Doctor Johnson takes the number of prisoners for debt in England to be then 20,000, which upon 6,000,000, which is his computed population, is a 300th part. He then reckons that every sufferer has at least two persons who are injured by his confinement, by which multiplication of misery, says the Doctor, distress is extended to a 100th part of the whole community. He next makes a computation of a shilling per day as lost by the inaction, and consumed for the support of each man thus chained in involuntary idleness, from which the loss to the public amounts to 300,000*l.* per annum! There will surely be no difficulty in doubling the shilling per diem in the state of things, anno 1803; the loss will then be 600,000*l.* per annum; observing that no regard is taken of the present ascertained population of the United Kingdom being 15,000,000; should the number of confined debtors rise in proportion, the loss will amount to 1,500,000*l.* per annum.

Dr. Johnson next computes that one in four dies every year, which upon his data of 20,000 amounts to the appalling total of 500,000 persons in a century! He concludes with saying, "The misery of gaols is not half the evil; they are filled with every corruption which poverty and wickedness can generate between them; with all the shameless and profligate enormities that can be produced by the impotence of ignominy, the rage of want, and the malignity of despair."

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IMPARTIAL JUSTICE.—In the police-courts at Port-au-Prince, Hayti, the white foreigners know their fate beforehand. An elderly Frenchman was summoned before a *juge de paix* for an assault upon a black. The evidence was so much in favour of the white that even the Haytian magistrate was about to acquit him, when shouts arose in different parts of the court, "What! are you going to take part with a white?" and the Frenchman was condemned. Two brothers were accused of murdering a Frenchman, their benefactor. The evidence against them appeared overwhelming, and their advocate, a thorough ruffian, was at a loss for arguments to sustain the defence. At last he glanced round the crowded court, and then turned to the jury with a broad grin on his face, and said, "After all it's only a white the less." The sally produced a roar of laughter, and the prisoners were triumphantly acquitted by the tribunal.—*Sir Spencer St. John.*

LORD MOIRA.—Censure upon the flagitious part of the legal profession has at all times reflected praise on the upright. Look at the class abounding in every unclean street out of the Strand, who should be entitled Paphian solicitors, or meretricious attorneys, who extract, or rather extort, a scandalous maintenance solely from the unfortunate fair of every rank, from the charioted opera-box holder of the Haymarket, to the enslaved abbess dependant of St. John's Wood, with every intervening gradation of misery. In the noble lord's researches it lamentably appears that more than half the prisoners for debt in Great Britain are so for attorney's bills of costs!

HINDOO JURISPRUDENCE.—By assiduous researches and consultation of learned men, such information was obtained as enabled Abdul Fazel to publish a brief compendium of Hindoo jurisprudence in the Ayeen Akbery, which may be considered as the first genuine communication of its principles to persons of a different creed. About two centuries afterwards the illustrious example of Akber was imitated and surpassed by Mr. Hastings, A.D. 1773, the Governor-General of the British Settlements in India. By his authority, and under his inspection, the most eminent Pundits, or Brahmins learned in the laws, of the provinces over which he presided, were assembled at Calcutta, and in the course of two years compiled, from their most ancient and approved authors, sentence by sentence, without addition or diminution, a full code of Hindoo laws.

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TIPPLING.—"I am as much opposed to tippling as anybody," said a lawyer to his client, "but nevertheless liquor rightly used is a blessing to humanity; when I was ill last winter, I actually believe it saved my life." "Very likely; but how does that prove that liquor is a blessing to humanity?" was the reply.

LEGAL BROKERS.—Sometimes called "broggers." "Broggers of corn" is used in a proclamation of Queen Elizabeth as to badgers (Baker's Chron. fol. 411). The original word is from a trader broken, and that from the Saxon "broc," which signifies misfortune, which is often a true reason of a man's bankruptcy, and none but such were formerly admitted to that employment. Brokers were persons employed, in the times of James and Charles the First, to raise money, legally or otherwise, for young heirs at an exorbitant interest, and were the common go-betweens with the lawyers in every business where advantage and profit of any kind was to be had.

REGULUS—A celebrated Roman pleader in the time of Domitian, Nerva, and Trajan. His character may be seen at large in Pliny's "Epistles:" "Well pleaded, on my life; I never saw him act an orator's part before. We might have given ten double fees to Regulus, and yet have our cause delivered worse."

THE PORTER'S LODGE—Is mentioned frequently in all old dramatic poets as a place of legal punishment, but what it really was has not as yet been explained, even by "Notes and Queries."

"Art thou scarce manumised from the porter's lodge, and darest thou dream of marriage?"—*Massinger.*

BERGHMOTE.—"Bergh," a hill (Sax.), and "germote," an assembly; as much as to say, an assembly or court upon a hill, for deciding pleas among miners.

> And suit for oar must be in berghmote court,
> Thither for justice miners must resort:
> And two great courts of berghmote ought to be,
> In every year upon the minery:
> To punish miners that transgress the law,
> To curb offences, and keep all in awe;
> To fine offenders that do break the peace,
> Or shed man's blood, or any tumults raise;

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To swear berghmasters that they faithfully
Perform their duty on the minery,
And make arrests, and eke impartially
Impanel jurors, causes for to try,
And see that right be done from time to time
Both to the lord and farmers on the mine.

LEGAL PRICKERS.—In Scotland witch-finding became a judicial trade. These common prickers became at last so numerous that they were considered nuisances. The judges actually refused to take their evidence, and in 1678 the Privy Counsel of Scotland condescended to hear the complaint of an honest woman who had been indecently exposed by one of them, and expressed an opinion that common prickers were common cheats.—*Pitcairn's "Records of Justiciary."*

AN AXIOM.—The law, if it respects anything, respects itself.

PAPER.—"You are writing my bill on very rough paper," said a client to his attorney. "Never mind," replied the attorney, "it has to be filed before it comes into court."

A CLERGYMAN'S RETORT.—At Worcester Assizes a cause was tried about the soundness of a horse, in which a clergyman not educated in the school of Tattersall appeared as a witness. He was confused in giving his evidence, and a furious, blustering counsellor, who examined him, was at last tempted to exclaim, "Pray, sir, do you know the difference between a horse and a cow?" "I acknowledge my ignorance," replied the clergyman; "I hardly know the difference between a horse and a cow, or a bully and a bull, only a bull, I am told has horns, and a bully," bowing respectfully to the counsellor, "luckily for me, has none."

DUELLING.—By the law of Gondebaldus, King of the Burgundians, passed in the year 501, the proof by combat was allowed in all legal proceedings in lieu of swearing. In the time of Charlemagne, the Burgundian practice had spread over the empire of the Francs, and not only the suitors for justice, but the witnesses, and even the judges, were obliged to defend their cause, their evidence, or their decision at the point of the sword. Louis the Debonnaire, his successor, endeavoured to remedy the growing evil by permitting the duel only in appeals of felony, in civil cases, or issue joined in a writ of right, and in cases of the court of chivalry, or attacks upon a man's knighthood. None were exempt from these

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trials but women, the sick and the maimed, and persons under fifteen or above sixty years of age. Ecclesiastics were allowed to produce champions in their stead. This practice in the course of time extended to all trials of civil and criminal cases, which had to be decided by battle.

HOTCH-POT.—Il en a fait un pot-pourri: he made a hotch-pot of it. Pot-pourri: livre ou ouvrage composé du ramas de plusieurs choses ressemblées sans ordre, et sans choix.—*French Dictionary.*

MR. SERJEANT MAYNARD—Had a mind to punish a man who had voted against his interest in a borough in the west, and brought an action against him for scandalous words spoken at a time when a member to serve in the House of Commons for that borough was to be chosen. First he laid his action in the County of Middlesex, and that was by virtue of his privilege, which supposes a serjeant is attendant on the Court of Common Pleas, and not to be drawn from the county where the court sat; and then, in the next place, he charged the words in Latin that, if he proved the effect, it would be sufficient, whereas, being in English, they must prove the very words to a tittle; and those were a long story that used to be told of Mr. Noy and all the cock lawyers of the west. So this was tried before Mr. Justice North at Nisi Prius. The witness telling the story, as he swore the defendant told it, said that a client came to the serjeant and gave him a basket of pippins, and every pippin had a piece of gold in it. "Those were golden pippins," quoth the judge. The serjeant began to puff, not bearing the joke; so the witness went on, "And then," said he, "the other side came and gave him a roasting pig (as it is called in the west), and inside the pig there were fifty broad pieces." "That's good sauce to a pig," quoth the judge again. This put the serjeant out of all patience, and speaking to those about him, "This," said he, "is on purpose to make me ridiculous." The story being sworn, the judge directed the jury to find for the serjeant; but in the court the judgment was arrested, because the words were mere merriment over all, without intent to slander.

RINGS.—So late as the sixteenth century the conveyance of property by means of a ring may be remarked in the following passage or item in the will of Anne Barrett, of Bury, dated 1504: "My maryeng ryng wt. all thynggs thereon." It is worthy of note that among the numerous kinds of evidence allowed in courts of law to establish a pedigree, engravings on

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rings are admitted upon the presumption that a person would not wear a ring with an error upon it. The use of a seal or signet-ring for the purchase of property is mentioned in the Bible. In Jeremiah the formalities are thus given : "And I bought the field of Hanameel, and weighed him the money, even seventeen shekels of silver. And I subscribed the evidence, and sealed it, and took witnesses, and weighed him the money in the balances. So I took the evidence of the purchase, both that which was sealed, according to the law and custom, and that which was open." (Chap. xxxii.)

IMMORTALITY OF LAW SUITS.—In order to put an end to this procedure, Pope Sixtus V. intended to have established a certain number of commissaries, that were to be learned, experienced, and conscientious men, who should dispense with the usual formalities, and determine suits in a summary way ; but his great attention to criminal processes made him abandon this good design.

SIR JAMES SCARLETT.—Was not a paragon of legislators any more than of Attorney-Generals. The Act for "Improving the Administration of Justice" will not be soon forgotten by the profession ; this Act, among other changes, altered the period of commencement of terms. But no sooner was it in force than it was discovered to be pregnant with the most ludicrous errors : the framer of the Act was clearly ignorant of the changes of the moon—of that astronomical knowledge which is contained in every almanack ; the consequence was that the courts would have been involved in the greatest confusion had not another statute been precipitately brought in to remedy the blunders of the first.

THE MAYOR OF YARMOUTH.—In ancient times, being by his office a justice of the peace, and one who was willing to dispense the laws wisely, though he could hardly read, got the statute-book, where, finding a law against "firing a beacon, or causing any beacon to be fired after nine of the clock at night," the poor man read it, "frying bacon, or causing any bacon to be fried," and accordingly went out the next night upon the scent, and being directed by his nose to the carrier's house, found both the man and his wife frying bacon, the husband holding the pan, while the wife turned it, Being thus caught in the act, and having nothing to say for themselves, his worship committed them both to gaol without bail or main-prize.

LADY POLITICIANS.—A law was passed, June 14th, 1648,

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"That the Commander-in-Chief and the guard that do guard the House of Commons from time to time do keep the clamorous women from coming up the stairs leading to the House of Commons door, and from coming into and clamouring in Westminster Hall on the Speaker and members of the House."

THE KING'S PAMPHLETS, BRITISH MUSEUM.—Among this collection of old ballads there are two thus intituled: *Lex Talionis*, or London revived, to the tune, "Pretty friend, leave off this thinking," dated in MS. 1647, and *Roome for a Justice*, or the life and death of Mr. Justice Waterton, to the tune of "A Sunday bak'd pudding," dated in MS. 1659.

AN EPIGRAM.

I heard a judge his tipstaff call,
And say, "Sir, I desire
You go forthwith, and search the hall,
And send me in the crier."

"And search, my lord, in vain I may,"
The tipstaff gravely said;
"The crier cannot cry to-day,
Because his wife is dead."

A TRADESMAN near Oxford Street once announced himself, "Ropemaker to the Sheriffs of London and Middlesex."

LEGAL METAPHORS.—The love of fine writing appears to have been inherited by lawyers from their descendants. Ugly women are proverbial for their fondness for rich ornaments and gay dress, and in something of a like way, lawyers, whose subject requires from them nothing but plain and unvarnished, are fond of florid language—for instance, thus one lawyer writes of another brother limb: "He was a modern constellation of English jurisprudence, whose digressions from the exuberance of the best judicial knowledge were illustrations, whose energies were obstacles, whose consistency of mind was won into the pinnacle of our English forum at an inauspicious moment, from the impression of imputed error, stormed the fort of even his highly-cultivated reason, and so made elevation and extinction contemporaneous, and whose prematureness of fate has made an almost insuppliable interstice in the science of English equity."

CLERKS—Are often introduced to the notice of the public by the old rhymesters in their antiquated ballads; but we are not now to suppose them to be journeymen shopkeepers,

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accountants, lawyers' assistants, *alias* scribes, nor book-keepers, but journeymen priests who were wont to do the drudgery of the higher orders of the Romish Church, and were a class of men well skilled in law and the art of debauchery.

The Chancerie.

Fees of proceeding in Chancerie, 1630.

	£	s.	d.
Sub Pœna Writ to answere. If there be three in the sub pœna, you pay sixe pence the more			
Tot.	0	3	4
This sub pœna may be served in any libertie whatsoever. So cannot an Attachment.			
The charge of drawing your Bill in the next which your counsaile at Law must doe according to the instruction which you shall give him of the true estate of the cause. His fee is at least	0	10	0
For the engrossing of your said bill, foure pence a sheet at least	0	0	4 a sheete
The copy inde, two pence a sheete, at the least	0	0	2 a sheete
The Attournye's Fee, when you put it in, which is for the whole Terme	0	3	4
The writing of the Oath made that the sub pœna was served	0	0	6
The Oath	0	0	4
The Attachment where the Defendant appeareth not	0	2	10
The breaking of it up with the Sheriffe . .	0	2	0
The Returne of that Attachment . . .	0	0	4
The Proclamation of Allegeance upon the same	0	2	10
The breaking of it up with the Sheriffe . .	0	2	0
The Returne of that Proclamation . . .	0	0	4
The Commission of Rebellion . . .	0	18	2
The Rule which the complainant gives to the Defendant to make answere by a certaine day in case where the Defendant doth appeare.	0	0	4
The Attachment The Proclamation Commission of Rebellion — For not answering as in case of not appearing.	As aforesaid.		
The Defendant's Appearance	0	4	4
This is also his Attournie's Fee for the whole terme	0	Feod. Attourn.	

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	£ s. d.
The Copy of the Bill, at eight pence the sheete	Eight pence the sheete.
His Counsaile's Fee for drawing of his Answere according to his direction, at the least . . .	0 10 0
For engrossing of this answer, at foure pence the sheete, at the least	Four pence a sheete.
For Copy of this answere, at two pence the sheete, at the least.	Two pence a sheete.
For the oath made that his answere is true .	0 0 4
For every Defendant, 4*d.* pro consimil	quilibet. pro consimil.
For the Commission to take the Answere in the Country by Dedimus Potestatem	0 7 10
Besides the engrossing of the Bill, which is included within it	Every sheete inde, 6*d.*
The Sub Pœna for Costs, given to the Defendant, in case where the Complainant doth not put in his Bill within the time allowed . . .	0 2 6
For a Bill of costs in indenty of it, inde . .	0 1 4
The Attachment, Proclamation, and Commission of Rebellion	As in case aforesaid.
A Joynt Commission to examine Witnesses in the Country, per peece	0 7 0
A Commission, ex parte, to examine Witnesses in the Country	The partie beares both parts of the charge.
For examination of the first Witnesse here before Examiners	0 2 6
For every Witness examined afterwards . .	0 2 6
For drawing of the Replication, if it be done by Counsell, as in case for the Bill . . .	As for the Bill.
For the Reioynder	0 the like.
If there be no new matter in the Replication of the Reioynder, your Attournie's Clerk will draw them for you, of course, for some small matter	As you can agree.

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	£	s.	d.
For the Copies of the Depositions of any Witnesses returned by Commission	Every sheet		
	0	0	8
For a motion in Court	Counsaile Fee.		
For the drawing of the Order thereon, cum cop	Every side		
	0	3	0
For entring of the Order, every side . .	0	0	6

The Cunning Law Clerk.

As I gaed down to Collistown,
Some white fish for to buy, buy,
The cunning law clerk he followed me,
And he followed me speedily, ly,
And he followed me speedily.

Says, faur ye gaun, my dearest dear?
O, faur ye gaun, my dow, dow?
There's naebody come to my bedside,
And naebody wins to you, you,
And naebody wins to you.

Your brother is a gallant square wright,
A gallant square wright is he, he;
Ye'll gar him make a lang ladder,
Wi' thirty steps and three, three,
Wi' thirty steps and three.

And gar him big a deep, deep creel,
A deep creel and a string, string;
And ye'll come up to my bedside,
And come bonnily linken in, in,
And come bonnily linken in.

The auld gudeman, and auld gudewife,
To bed they went to sleep, sleep;
But wae mat worth the auld gudewife,
A wink she cou'dna get, get,
A wink she cou'dna get.

I dream'd a dreamy dream this night,
I wish it binna true, true,
That the rottens had come thro' the wa',
And cutted the coverin' blue, blue,
And cutted the coverin' blue.

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Then up it raise the auld gudeman,
To see gin it was true, true ;
And he's gane to his daughter dear,
Says, What are ye doing, my dow, dow ?
Says, What are you doing, my dow ?

What are ye doing, my daughter, dear ?
What are you doing my dow, dow ?
The prayer-book's in my hand, father,
Praying for my auld Minnie and you, you,
Praying for my auld Minnie and you.

The auld gudeman and auld gudewife,
T' bed they went to sleep, sleep ;
But wae mat worth the auld gudewife,
But aye she waken'd yet, yet,
But aye she waken'd yet.

I dream'd a dreamy dream this night,
I wish it binna true, true,
That the cunning law clerk and your ae daughter
Were 'neath the coverin' blue, blue,
Were 'neath the coverin' blue.

O, rise yersell, gudewife, he says,
The diel may have you fast, fast ;
'Atween you and your ae daughter,
I canno' get ae night's rest, rest,
I canno' get ae night's rest.

Up then raise the auld gudewife,
To seen gin it was true, true ;
And she fell arselins in the creel,
And up the string they drew, drew,
And up the string they drew.

Win up, win up, gudeman, she says,
Win up, and help me now, now ;
For he that you gae me to last night,
I think he's catch'd me now, now,
I think he's catch'd me now.

Gin old Mick, he hae catch'd you now,
I wish he may had you fast, fast ;
As for you and your ae daughter,
I never get kindly rest, rest,
I never get kindly rest.

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They howded her, and they showed her,
Till the auld wife gat a fa', fa';
And three ribs o' the auld wife's side,
Gaed knip, knap, ower in twa, twa,
Gaed knip, knap, ower in twa.

So much for the cunning law clerk and the gudeman's only darter.

A BILL.—"Did you present your account to the defendant?" inquired a lawyer of his client. "I did, your honour." "And what did he say?" "He told me to go to the devil." "And what did you do then?" "Why, then, I came to you."

LAWYERS' HOLIDAYS.—The months of July and August were a time of vacation to the Roman lawyers, the Courts of Justice being then shut up, that the farmers might not be interrupted in their harvest by being obliged to attend their law-suits at Rome.

"Messesque reversæ
Dimisere Forum; nec jam tibi turba reorum
Vestibulo quereliq: rogant exire clientes;
Cessat centeni moderatrix judicis hasta."
Statius Syl. L. 4. 50.

Returning harvest bids contention cease,
And through the wrangling Forum all is peace;
No teazing clients now besiege the way,
Nor judges sage the solemn spear display.

AGAINST SHEEP FARMING.
(A system introduced and carried to excess by the Monastic bodies, 1598.)

Sheepe have eate up our meadows and our downes,
Our corne, our wood, whole villages and townes,
Yea, they have eate up many wealthy men,
Besides widowes, and orphane childeren;
Besides our statutes and our iron laws,
Which they have swallowed down into their maws,
Till now I thought the proverbe did but jest,
Which said a blacke sheepe was a biting beast.
Fourth Book of Chrestoleros.

SIR MATHEW HALE.—Amy Duny is not a very pretty name. The Christian name of Rose needs no apology. Yet there was an Amy Duny and there was a Rose Cullender; and in the year 1662, at Bury St. Edmunds, they were hanged. An intelligent British jury returned the verdict,

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"Guilty of witchcraft" against them. The indictment had thirteen counts; the presiding judge was Sir Mathew Hale, Lord Chief Baron of the Exchequer.

Mathew Hale, Knight, Lord Chief Baron of his Majesty's Court of Exchequer, was Criminal Judge of Assize.

It is the solemn moment when the judge sums up to the jury. Silence! The court is stilled—not a voice, not a sound, save a low sob from a child. Hale's victims were two widows. Hale calls "upon the great and all-merciful God of Heaven to direct the hearts of the jury in this weighty thing. For to condemn the innocent and let the guilty go free, be both an abomination unto the Lord."

Then the black cap—the sentence. Amy Duny and Rose Cullender must die!

NO GREAT DIFFERENCE.—As a Scottish minister and an English lawyer were riding together, said the minister to his friend,—

"Sir, do you ever make mistakes in pleading?" "I do," says the lawyer. "An' what do ye do wi' mistakes?" was the next question. "Why, sir, if large ones, I mend them; if small ones I let them go. And pray, sir, do you ever make mistakes in preaching?" "Ay, sir, I have dune sae." "And what do you do with your mistakes?" "Oh, I dispense with them in the same manner as you do yoursel'. I rectifee the lairge an' let go the sma' anes. No lang since, as I was preachin', I meant to observe that the devil was the father o' a' liars, but made a mistake, an' said 'the father o' a' lawyers.' But the mistake was so sma' that I let it go."

LAW LATIN.—The motives of the lawyers in employing a dead or foreign language for so long a period have been frequently questioned. It was objected, according to Sir John Davies, "to the professors of our law, that, forsooth, they write their reports and books of the law in a strange, unknown tongue, which no one can understand but themselves, to the end that the people, being kept in ignorance of the law, may the more admire their skill and knowledge, and value it at a higher price."

Cicero in his final book, "De Oratore," testifies that the like conceit was held of the first professors of the civil law, "Quid veteres illi qui huic scientiæ præfuerunt, obtinendæ atque augendæ potentiæ suæ causâ, pervulgari artem suam noluerunt."

Cæsar speaking of the Druids, who were judges and interpreters of the laws among the ancient Britons, reports of

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them, that though they spent twenty years in the study of those laws, "Non existimabant fas esse ea literis mandare."

IRISH LAW.—In a Bill for pulling down the Old Newgate in Dublin, and rebuilding it on the same spot, "it was enacted that the prisoners should remain in the old jail till the new one was completed!"

THOMAS MOZEEN—Was bred to the law, but cast it aside for the more honest calling of a stage-player.

Do you scrape for a son, with cost and with care,
You have hitherto anxiously bred?
The first in the chamber shall be the young heir
With lawyers to pluck the will from your head
"Nunc, nunc est bibendum," our motto you see,
Stick, stick to it close, and be happy as we.

For lawyers or mistress art heaping up dirt?
Ah! trifler! how little you know!
An ear-ring your fair saint's true love will pervert,
Distress of your friend make a foe.
What need of advice against hoarding of pelf?
A lawyer, a lawyer will speak for himself.

Haste, haste ye to us, but do as we do,
I warrant you ne'er will repent,
The ways of the law are not merry or true,
I ne'er knew what their other "tails" meant.
Let 'em rant, let 'em fight, let 'em cavil and brawl,
A bumper and ease I prefer to 'em all.

"THE LAWYER AND NELL," is the title of an old ballad printed by Croshaw of York.

He wished the devil might take him,
A woeful tale to tell,
If ever I prove false unto
My charming, dear Nell.
In about a month thereafter
The lawyer turned her out of house,
He was longing for a richer,
So left poor Nell.

Upon which Nell and a sweep waylay the lawyer at "the side of a wood, where the road is not very wide," and "just as the clock had struck twelve, as homeward the lawyer was steering" from the house of a lady fair, to whom he had been paying court, they rush upon him in the character of devils,

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and the sweep setting fire to "a parcel of crackers," the lawyer is so terrified that he exclaims,—

"If you'll go no farther with me,
To-morrow I'll marry poor Nelly."

Which he accordingly does.

A BITE—Is a cant phrase signifying "a cheat," "a rogue," "a sharper," "a lawyer." It is recorded of a criminal named Holloway, who figured in the Newgate annals about the beginning of last century, that the very day before his execution he gave a most remarkable "bite," which probably eclipses even the legal swindles of our own times. He sent for a surgeon, to whom he proposed to sell his corpse for dissection. The surgeon, by no means unwilling to strike a bargain, offered him a certain sum, with which Holloway was by no means satisfied. "See here," said he, "is a vigorous and sound body; here are limbs, here are muscles!" and stripping open his bosom, added, "here's a chest—so plump, so white, as will rise to your knife, and do credit to your art! Don't this deserve ten shillings more than a common corpse?" Convinced by his arguments, the doctor paid him the price demanded, when, bursting into a loud laugh, he exclaimed, "A bite, a bite! by Jingo! I am to be hanged in chains to-morrow," and so laughed the astonished surgeon out of prison.

Fluel. Pite, pite, I pray you!
Pist. Must I bite?
Fluel. Yes, certainly, and out of doubt, and out of questions, too, and ambiguities.
Pist. I eat, and eat, and swear!

CATASTA—Is but a pair of stocks in English; but law must not admit of any vulgar word (especially of paltry signification), and therefore lawyers are fain to import foreign words from abroad, that were never before heard of in our language.

AN APPROPRIATE TITLE.—Lord Newton, an eminent judge in the Court of Session about the beginning of the present century, was an extraordinary bacchanal. He was proposing to buy an estate, and he mentioned it to a friend and crony that he should like it to be one with a high-sounding name, as perhaps he might take his title from it. "Weel, my lord," answered his friend, "there's the yestate o' Drunkie in the mercat; buy it, and then ye'll no need to tak it amiss when folk say ye're drunk aye."

OATHS.—The old Romans had particular oaths for men

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and women to swear by. "Viri per Castorum jurabant antiquitus, nec mulieres per Herculem; Ædepol autem juramentum erat tam mulieribus quam viris commune," &c.—*Macrobius.*

A TOAST.—At a lawyer's dinner a toast was proposed after the cloth had been removed—"Wine and Women." Some one suggested instead, "Lush and Shee."

LEGAL AMENITIES.—Men (beggars) were put into the "Raspelhuis," where they were obliged to saw and rasp Brazil-wood, and other laborious work; and those who by blows were not to be brought to labour, were put by the ingenuity of the law into a large cistern, where the water is let in upon them, and they are forced to pump hard to save themselves from drowning. The women were put into the "Spinhuis," where they were obliged to spin, sew lace, etc.

LEGAL ACTS.—In or about 1835 the whole of the statutes on wool amounted to 987; on the subject of gold and silver, 290; on tobacco, 460; on the fisheries, 970; and on a variety of other subjects in proportion. Relative to the poor there were 350 public Acts, besides 135 local Acts. By some of these Acts the poor were farmed out, by others flogged according to law.

Some lawyers cheat in the customs, some rob the excise;
But those who rob both are esteemed the most wise.
Churchwardens, who have always dreaded the halter,
As yet only venture to steal from the altar.
But now to get gold,
They may be more bold.

Lawyers by revenues which pass through their hands,
Have purchased clean houses, and bought dirty lands,
Some to steal from a charity think it no sin,
Which at home (says the proverb) does always begin;
But if ever you be
Assign'd a trustee,
Treat not orphans like masters of the chancery.

REMY, THE JUDGE—Boasted that he himself had been the means of putting to death in sixteen years 800 witches. Luther states that 7000 witches were burnt at Treves; 600 by a single Bishop of Bamburg; 800 in a single year in the bishopric of Wurtzburg; 1000 in the province of Como; 400 at Toulouse at a single execution; 500 at Geneva in three months; 48 at Sweden.

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PRAESES.—One who presides, either alone or with others, in the administration of affairs, public or private, sacred or civil ; a magistrate. The use of this word for "chairman," or "president," is confined to the Scotch, and they invariably make a point of spelling it wrong: thus, "preses" instead of "praeses."

HOW TO SAVE LAWYERS' FEES.—Pierre Z. had a dispute with a neighbour concerning the boundary of a piece of land on his farm. His solicitor, seeing the difficulties of the case, advised him to engage an eminent barrister for the defence. Mr. X., the barrister, after considering the arguments of his client, frankly told him the case required great care, and might possibly be won ; but on the other hand could easily be lost. Pierre Z. strongly urged the lawyer to do his best, promising by all that was holy to reward him handsomely for his trouble. Mr. X. hinted at this point that it was customary to pay a retaining fee, and that in this case he should be satisfied with 800 francs. This was a tender point with Pierre ; but after much haggling and shuffling he agreed to pay the amount required on the very next day if the lawyer would only carefully study the brief and go thoroughly into the case, which was of the utmost importance to him. Mr. X. agreed to this arrangement. When the case was ready to be brought on for hearing, Mr. X wrote to the peasant claiming his fee. The latter at once replied that he had been waiting for the payment of a sum of money, and had been disappointed, but the lawyer might count on him on the day of trial. When the case was called on in court Mr. X. asked for a fortnight's adjournment. The other side objected. Happening to turn round at that moment Mr. X. espied his client at the back of the court with a leather bag on his shoulder, similar to those used by bankers' clerks. Our peasant waved his hand to the counsel, and pointed to his bag with a significant wink. Mr. X. naturally inferred that Pierre had brought the stipulated sum of money, and bringing all his forensic abilities to bear on the case, he gained the day. Leaving the court together with his client, he said to Pierre as they descended the steps leading to the Great Hall (of the Pas Perdus), "Well, we have been fortunate ; but it has given us no end of trouble. You see we did our best." "And well for you that you did," exclaimed the peasant, tapping his bag, "for I have brought here a lot of stones that I meant to shy at your head if you had lost the case. As for money, I have not got any!" And that is how Pierre Z. got an eminent barrister to conduct his case free of expense.—*Gazette des Tribunaux.*

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WHIPPING.—The municipal records of England state that the executioner's remuneration for inflicting a whipping was fourpence a head. In the corporation records of a town in Huntingdonshire there is an entry of eight shillings and sixpence, being the charge for taking up a distracted woman, watching, and whipping her next day ; and there is a further charge of two shillings to pay a nurse for her. The legal authorities of this town thought the lash a sort of universal specific, for they paid eightpence "to Thomas Hawkins for whipping two people y^t^ had the small-pox." In a village hard by they paid fourpence "to a woman for whipping ye said Ellen Shaw," and then, to prevent any disastrous consequences, expended threepence "for beare for her after she was whipped."

LAW DISTINGUISHED FROM RELIGION.—The law before was outward, written in tables of stone ; of old the people depended upon their priests for the knowledge of law ; but now they all have a certain knowledge of right, concerning which Augustine speaks well in his book, "De Litera et Spiritu," from whom Aquinas first of all seems to have taken occasion to move this question—whether the new law be a written law or an implanted law, "lex scripta, vel lex indita" ? Which he thus resolves, affirming that the new law or gospel is not properly a law written, as the old was, but "lex indita," an implanted law, and that the old law was written without, but the new law is written within, on the table of the heart.

EPITAPH ON A GLASGOW MAGISTRATE.—

Here lyes—read it with your hats on—
The bones of Bailie William Watson,
Who was moderate in his thinking,
And famous for his drinking.

A SCENE IN COURT.—The gentleman in question, who was quite young, was retained as an advocate in a case on which, not feeling himself sufficiently prepared to plead, he was very desirous of obtaining a postponement. As, however, the court had protracted its session beyond the usual period, in consequence of an unusual amount of business, and of course the jury were impatient to be released from their duress, he was well aware that it would be impossible to procure such a postponement unless he could allege some extraordinary cause. Fortunately, or unfortunately, as the result proved, he had a lively imagination, and had quickly formed a plan which he was sure would be successful. With his handker-

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chief to his eyes he addressed the court in great apparent emotion. "May it please the court, I have just heard of the dangerous illness of my venerable mother, who is lying at the point of death. Under such circumstances, much as I regret protracting an already lengthened session, I must request that this case be postponed. My feelings are so powerfully agitated that I should be unable to do justice to the case, feeling as I do that my proper place is at the bedside of my mother." The pathetic appeal was completely successful. A feeling of earnest sympathy pervaded all hearts, and the jurors, though anxious to return to their families, were not so hard of heart to wish to have the business of the court proceed at such a sacrifice of personal feelings. The judge, who was a tender-hearted man, had risen, and was about to grant the request of the counsel, when the deep hush was broken by a shrill voice, which proceeded from a lady who was bending over the railing of the gallery. It was the mother of the eloquent counsel, who, so far from being at the point of death, came without her son's knowledge to hear him plead. "James, James!" she exclaimed, in a voice which could be distinctly heard all over the house. "James, James! how often have I chastised you for lying?"

THE EFFECTS OF FLAGELLATION.—Seneca informs us that some quartan fevers have been cured by blows, and a learned commentator conjectures that this arises from the viscid bilious humour being warmed by the strokes, and dissipated by motion!

Another author holds that the rod is a capital specific for tertian fever. A lawyer once suffered from this complaint, which left him at times unable to pursue his avocation. In the course of his pleadings he ridiculed a certain gentleman, who determined to have his revenge at some convenient opportunity. The lawyer was one day riding home past the house of the gentleman, when the latter sent him a message, the lawyer unwittingly complied, and soon found himself a prisoner within the gates. The gentleman quickly explained his business, and offered him the choice of two modes of suffering. "You shall either sit on an ant-hill, in the clothing provided for you by nature, till you have learnt by heart the seven penitential psalms; or, you shall run the gauntlet, in the same *dégagé* costume, round my courtyard, where will be ranged all my servants, armed with rods wherewith to belabour you." The lawyer pleaded for mercy to himself as he had never yet done for a client, and begged his tormentor to think of his wife and children, his illness, his fever; but the gentleman

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was inexorably deaf to the cry of pity, and his bowels of compassion would not be moved. The unfortunate lawyer reluctantly chose the gauntlet, as he could not bear to think of the ants, coupled with the penitential psalms. So he ran the course, and was dismissed black and blue, bruised and bleeding, to return to his family, a sadder and a wiser man; but he was so fortunate as to derive one advantage from the flagellation bestowed upon him—he was cured of his tertian fever!

A PRÆMUNIRE.—Roger Bacon, commonly called Friar Bacon, lived in the reign of Edward I., and for some little skill he had in mathematics was adjudged a conjuror. Robert Grosthead was a Bishop of Lincoln in the reign of Richard III. He was a learned man for those times, and for that reason was also adjudged a conjuror; for which crime being degraded by Pope Innocent IV., and summoned to appear at Rome, he appealed to the Tribunal of Christ, which the English lawyers ruled was illegal, if not a præmunire, for offering to sue in a foreign court.

OAK-APPLES AND THE LAW.—Wearing oak-apples, a practice now quite extinct, on the 25th of May, became a military offence among the Georges. For a soldier to "sport" this emblem was to manifest a love for the Stuarts, and a hatred for the House of Brunswick. As a military offence, soldiers who ventured to show but an oakleaf in their fingers were flogged almost to death in the bloody corner of Hyde Park.

Civilians were also amenable to the law if they thus offended on the anniversary of the Restoration; and the punishments inflicted by the law for the offence, were imprisonment, whipping, and fine.

CRIMINALS.—In their indictments used to be charged with "Not having the fear of God before their eyes, but being led by the instigation of the devil."

> "The same estate in mortgage twice,
> When to a legal relegation
> You turn your excommunication,
> And for a groat unpaid that's due,
> Distrain on soul and body too."

THE POWER OF MONEY.—

Tis money makes lawyers give judgment, or plead
On this side, or that side, on both sides, on neither;
This makes young law clerks that can scarce write or read,

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And spawns arbitrary "orders" as various as the weather;
This makes your barristers cross-examine and prate
Without reason or sense against right, reason or state.

PRAGMATIC SANCTION.—An expression frequently made use of and referred to. Charles VI., Emperor of Germany, left no son, and had long before his death relinquished all hopes of male issue. During the latter part of his life, his principal object had been to secure to his descendants in the female line the many crowns of the House of Hapsburg. With this view he had promulgated a new law of succession, widely celebrated throughout Europe under the name of "Pragmatic Sanction." By virtue of this law, his daughter, the Archduchess Maria, wife of Francis of Lorraine, succeeded to the dominions of her ancestors.

St. Louis, King of France, wrote repeatedly to Pope Alexander IV., to obtain some relaxation of ecclesiastical immunities, became sensible of the associations among his barons and lords, and himself promulgated the "Pragmatic Sanction." A true copy of this legal document may be seen in "Sismondi."

"Pravo favore labi mortales solent,
Et, projudicio dum stant erroris sui,
Ad poenitendum rebus manifestis agi."
Phaedrus.

POLITICS.—When a man is well informed on the fundamental laws of a state, with whatever relates to the arrangement in the laws, the police, and the finances and strength of a country; and has likewise a knowledge of the interests of the neighbouring potentates, and disposition of parties that may disturb the internal peace of a nation, he may then form some probable conjecture of the events of things.

AN AMERICAN LAW-SUIT.—A time-honoured law-suit has just come to a conclusion at Waterloo, Iowa, in the United States. It is known as the "great Jones County calf case." The litigation arose out of the theft of four calves, eleven years ago, belonging to a man named Foreman, of Jones County. The stolen calves were bought by a neighbouring farmer, by name Johnson, for a friend in Green County. Johnson was prosecuted by the "Anti-Horse Thief Association" for the theft of the calves. He was tried twice and acquitted, and in 1877 brought an action against his prosecutors for damages. Ever since that date the case has from time to time been before the law courts. It has been

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tried five times, and each time, except one, Johnson has been victorious, receiving verdicts in his favour of from 3000 to 7000 dols. These verdicts were on each occasion set aside; but Johnson was still persistent, and has at last been awarded him 7000 dols. damages, and the great calf case will be heard of no more in the courts. It will be sadly missed by the legal profession in Iowa. The costs, attorneys' fees, and expenses entailed upon all parties to the litigation amount, it is stated, to over 20,000 dols., and several prosperous farmers have been reduced to bankruptcy. The estimated value of the calves was 50 dols.

OPULENCE.—A rich law lord one day asked a man of wit what kind of a thing opulence was. "It is a thing which can give a rogue an advantage over an honest man," was the reply.

PYLÆUS.—A native of Milan was a celebrated lawyer at Bologna in the year 1170. His address in managing the following cause deserves to be remembered.

"Machinarii exalto lapidem projecturi proclamarunt prætereuntibus, ut sibi caverent. Quidam vero iter faciens, voce neglecta, fuit vulneratus, et machinarios in jus vocavit, ut vulneris impensas solverent. Ille Pylæum consuluerunt, qui, cum sciret testibus probari non posse, illos transeuntes præmonuisse, hac usus est arte. Machinarios in judicium duxit, et cum a prætore interrogarentur, cur temere lapidem dejecissent, monitu advocati nihil responderunt. Mirante id prætore, et causam quærente, muti sunt, respondit Pylæus, et nihil audiunt.

"Tum adversarius: Immo, inquit, audivi eos transeuntibus acclamantes, ut sibi caverent. Subjunxit Pylæus. Ergo absolventur: præmonens enim de damno non tenetur, eosque liberavit!" Some workmen, on the point of hurling a stone from a high place, called out to persons passing beneath, that they should take care. A man going by, and neglecting the caution given, was wounded by a stone, and summoned the workmen into a court of law, and demanded damages. The workmen employed Pylæus as their counsellor. On examining the story, Pylæus found that it would be impossible to prove by witnesses that his clients had called out to the passers-by. He made use of this stratagem in their behalf: Leading the workmen into court, they were interrogated by the judge why they had hurled the stone so carelessly. As their counsel advised them, they kept silence. The judge

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being astonished at this, Pylæus informed him that his clients were deaf and dumb. "Nay, I heard these very men," exclaimed the plaintiff, "I heard these very men call out to everybody to take care." "They then must be acquitted," rejoined Pylæus, "as no damages can be awarded."

BOROUGH ENGLISH.—Is that the youngest son shall inherit the estate in preference to all the other children.

LAWS OF ENGLAND.—"Why are there so many turnings, windings, and other delays in the laws of England? Why is our law a meander of intricacies, where a man must have contrary winds before he can arrive at his desired port? Why are so many men destroyed for want of a formality and punctilio in law? and who would not blush to behold seemingly grave and learned sages prefer a letter, syllable, or word, before the weight and merit of a cause? Why does the issue of most law-suits depend upon the precedents rather than the rule, especially the rule of reason? Why are persons' lives forfeited by the law upon light and trivial grounds? Why do some laws exceed the offence? and on the contrary, other offences are of greater demerit than the penalty of the law? Why is the law kept in an unknown tongue, and the nicety of it rather countenanced than corrected? Why are not the courts rejourned into every county, that the people may have a right at their own doors, and such tedious journeyings may be prevented?"—*A tract by Giles Calvert*, 1649.

LORD KENYON.—Whose want of scholarship and good taste is well known, was fond of intruding the little information he had picked up, whether or not it was appropriate to the matter at issue. When he wished to express an opinion that the established rules of practice should not be departed from, it was embellished with the figurative recommendation of the propriety, "stare super antiquas vias!" His praise of the wisdom of former decisions was not confined to the quotation before given, but was abbreviated into the convenient form of "stare decisis"—equally classical and expressively appropriate. In ruling a point at Nisi Prius, where he held that a party who bid for a lot at an auction should be at liberty to recall it, and retract his bidding, by a poetical license of changing time into place, the learned judge expressed it by giving the bidder, as he classically termed it, a "locus pœnitentiæ." But the quotation "Melius est petere fontes quam sectari rivos," was the most favoured of all. He paraded it on every occasion evidently with the greatest satisfaction. Sometimes he informed a counsel that "the court would take

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time to consider a certain case, 'propter difficultatem.' We will look into this Act of Parliament with eagle's eyes, and compare one clause with another, 'nositur a sociis.'"

WHAT IS GAME?—No question is so frequently asked as this, viz. what is game? and scarce any question can be proposed which a lawyer, even a learned and an accurate one, would find it more difficult to answer.

MAN *v.* LAWYER.—John Clerk (Lord Eldin) was about as plain-looking a man as could well be imagined. His inattention to dress was proverbial. In walking he had a considerable halt, one of his legs being shorter than the other. Proceeding down the high street one day, from the Court of Session, two young ladies passed him, one of whom said in an audible tone, "There goes Johnny Clerk, the lame lawyer;" he immediately said, "Johnny Clerk may be a lame man, but he's no lame lawyer."

A CURIOUS LEGACY.—A gentleman of Clapham left by will a sum to be distributed among several Baptist churches, who should not forbid a Pædobaptist from sitting down with them at the Lord's Table.

LAW WIT.—Cicero replied to Vibius Curius, who was telling a falsehood about his age, "Then when we declaimed in the courts together, you were not born;" and to Fabia, Dolabella's wife, who said she was thirty, "No doubt, for I have heard you say so twenty years." When he saw Lentulus, his cousin, a little girl with a big sword, "Who," he asked, "has fastened my cousin to that sword?" And on being shown a colossal bust of his brother, who was also small, he exclaimed, "The half of my brother is greater than the whole." One day Cicero had supped with Damasippus, and his host had said—putting some inferior wine before him—"Drink this, Falernian, it is forty years old!" "It bears its age well," replied Cicero.

A LEGAL CLAUSE.—In the Irish Bank Bill passed in June, 1808, there was a clause providing "That the profits shall be equally divided, and that the residue should go to the Governor."

LUCILIO VANINI.—An Italian, who appears to have held some harmless ideas about religion, was burnt, 1619, at Toulouse. When pressed by the judge to make public acknowledgment of his crime, he replied that he had never offended against God or the king; and as for law and lawyers, he wished them both at the devil.

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INQUISITION—Was a legal tribunal erected by the popes for the examination and punishment of heretics. It was founded in the twelfth century by Father Dominic and his followers, who were sent by Pope Innocent III. to inquire into the number and quality of heretics, and then to send an account to Rome. Hence they were termed Inquisitors, and their court the Inquisition. Its cruelties were shocking beyond description.

A SHUTTLE-COCK.—

That law's a shuttle-cock, you'll none deny,
Which parchment battledores compel to fly ;
Both in November date, with term beginning,
And wise plays he who closes at one inning !

OF THE WOMAN THAT POURED THE POTAGE IN THE JUDGE'S MALE.—There was a justyce but late in the reame of England callyd Master Vavesour, a very homely man, and rude of condycyons, and loved never to spend mych money. Thys Master Vavesour rode on a tyme in hys cyrcuyte in the northe contrey, where he had agreed wyth the sheryf for a certain sume of money for hys charges thorowe the shyre, so that at every inne and lodgynge this Master Vavesour payd for hys owne costys. It fortunyd so, that when he cam to a certayn lodgying he comaunded one Turpyn, his servaunt, to se that he used good husbondry (economy), and to save such thynges as were left, and to carry it wyth hym to serve hym at the nexte baytinge. Thys Turpyn doyng his maystres commandement, toke the broken bred, broken mete, and all such thyng that was left, and put it in hys mayster's cloth sak. The wyfe of the hous, perceyving that he toke all suche fragmentys and vytayle wyth hym that was left, and put in the cloth sake, she brought up the podage that was left in the pot ; and when Turpyn had torned hys bake a lytyl asyde, she pouryd the podage into the cloth sake, whych ran upon hys robe of skarlet and other of hys garmentys, and rayed (defiled, from Fr. *rayer*) them all, that they were mych hurt therwyth. Thys Turpyn sodeynly turying hym, and seeing it, revyled the wyfe therefore, and ran to hys mayster and told him what she had don : wherefore Master Vavaseour incontinent callyd the wyf, and seyd to her thus : "Thou drab," quod he, "what hast thou don ? Why hast thou pourd the podage in my cloth sake, and marred my rayment and gere ?" "O, syr," quod the wyfe, "I know wel ye ar a judge of the realme, and I perceive by you, your mind is to do right, and to have that that is your owen ; and your mynd is to have all thyng wyth you that ye

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have payd for, both broken mete and other thynges that is left, and so it is reson that ye have; and therefore because your servant hath taken the broken meet and put it into your cloth sak, I have therein put the podage that be left, becaus ye have wel and truly payed for them. If I shoulde keep onything from you that ye have paid for, peradventure ye wold troble me in the law a nother tyme." Here ye may se that he that playth the nygarde to mych, som tyme it torneth him to hys owne losse.

BARTHOLOMEW ACT.—Or Act of Uniformity, passed in 1662, by which 2000 ministers were legally ejected from the Church of England.

JOHN BUNYAN.—The author of the "Pilgrim's Progress," was twelve years in Bedford gaol through the instrumentality of the English law.

A JUDGE AT THE THEATRE.—A judge being present at the representation of "Pizarro," fell asleep in the midst of Rolla's speech to his troops. Mortifying as this must have been, Mr. Sheridan, with his usual good humour, said, "Let him sleep; he thinks he is on the bench."

THE GUILLOTINE.—The instrument of death invented by Dr. Guillotin, and now universally known by that name, was for a time denominated the "Louisette," because it was the deputy Louis who first made himself acquainted with its capabilities, and furnished a report upon them to the National Assembly.

IN "LOVE FOR LOVE."—Ben Legend, a sailor, speaking of lawyers, says, "Lawyer, I believe there's many a cranny and leak unstopt in your conscience. If so be that one had a pump to your bosom, I believe we should discern a foul hold. They say a witch will sail in a sieve, but I believe the devil would not venture aboard your conscience."

A COUNSEL'S ADVICE.—

A thief about to be accused implored
Advice, and sent his counsel many a pound;
The counsel, when o'er mighty tomes he'd pored,
Replied, "If you'd escape, you must abscond."

LORD NORTHINGTON—Like Lord Thurlow, was given to drinking, debauchery, and swearing. Anstey has celebrated him, under the name of "Lord Ringbone," in his "New Bath Guide:"—

"Lord Ringbone, who lay in the parlour below,
On account of the gout he had got in his toe,

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Began on a sudden to curse and to swear:
I protest, my dear mother, 'twas shocking to hear
The oaths of that reprobate, legal old peer.
All the devils in hell sure at once have concurred
To make such a noise here, as never was heard;
Some blundering blockhead, when I am in bed,
Treads as hard as a coach-horse, just over my head;
I cannot conceive what the plague he's about:
Are the fiddlers come hither to make all this rout,
With their d—d squeaking catgut, that's worse than the gout?
If the aldermen bade 'm come hither I swear,
I wish they were broiling in hell with the mayor;
May flames be my portion if ever I give
Those rascals one farthing as long as I live."

This amiable gentleman, when on his deathbed, desired his gardener to cut down a clump of trees, simply because his son was fond of them. The gardener, anxious not to offend the son, and every moment expecting the earl's decease, neglected to obey the order. When his lordship learnt this, he sent for the gardener, and thus addressed him: "So—d—n you!—you have not done as I ordered you; you think I am going; and so I am, and be d—d to you; but you shall go first. Here, strip this fellow, and kick him out of doors."

LORD THURLOW—By his natural disposition was utterly disqualified, one would have thought, for discharging the duties of a judge. His violent and ungovernable temper, which deserves the name of surliness and brutality, seemed to form an insuperable impediment in any capacity.

A LAW MAXIM.—"Mutatâ formâ interimitur propè substantia rei." "The form being changed, the substance of the thing is destroyed." Thus, if trees are improperly cut down, and laid as beams in a house, their nature is so far altered that they cannot be seized in that shape: but the owner is to bring his action for the damage.

MR. RAINE, Q.C.—Was blessed or cursed with stentorian powers of speech. Chief-Baron Thompson was once trying causes at York, and hearing a great noise at the other end of the hall, where the Crown cases were going on, called out, "Who's that man that's making such a noise, bailiff? Turn him out if he don't hold his tongue." "Oh, my lord," said Mr. Topping, "it's only a friend of ours pleading at the other end of the court."

DOCTOR JOHNSON.—A gentleman asked why he so hated

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lawyers. "I don't hate them, sir; neither do I hate frogs; but I don't like to have either hopping about my chamber."

SIR FRANCIS PEMBERTON.—In his youth "he mixed with such lewd company that he quickly spent all he had; and ran so deep in debt that he was cast into jail, where he lay many years."—*Burnet.*

CLERKSHIP TO "THE PELLS."—This notorious legal sinecure, worth 3000*l.* a year, was once in the power of Pitt (Conservative) to take it to himself. He declined, and it fell into the hands of Addington (Radical), who bestowed it upon his son, then only twelve years of age. This immaculate minister was at the same time persecuting a poor tradesman at Plymouth, one Hamlin, a tinman, who had offered Addington a large sum of money for an appointment in the Customs. He was prosecuted, fined, and imprisoned, although he solemnly declared his ignorance of the crime, having seen for years Government places publicly advertised for sale, besides probably having money for his vote from the agents of the Government itself.

A GHOST CALLED IN COURT.—In a case of murder at Warwick, the defence set up was that the crime must have been committed by an apparition, upon which the judge thus addressed the jury: "I think, gentlemen, you seem inclined to lay more stress upon an apparition than it will bear. I cannot say I give much credit to those kind of stories; but be that as it will, we have no right to follow our own private opinion here. We are now in a court of law, and must determine to it; and I know not of any law now in being which will admit the testimony of an apparition; nor yet if it did, doth the ghost appear to give evidence. Crier," said he, "call the ghost," which was thrice done to no manner of purpose.

MR. DUNNING, Q.C.—Used to live at a very extravagant and expensive rate; in fact, in such a way as shocked his mother, whose notions of life appear to have been confined to outward decency, and a certain amount of respectability.

COBBETT *v.* CLEARY.—Brougham was Cleary's counsel. Cobbett very ably defended himself, and produced one of his best jokes on this occasion. Referring to the plaintiff's diminished prospects at the bar, alleged to be in consequence of these events, he added, "It was held to be a crime, even by poachers, to destroy young birds; and how criminal then must he (the defendant) be if he had really crushed a lawyer in the egg!"

SERJEANT PRIME—Was good-natured, but rather a dull man, and, as an advocate, wearisome beyond comparison.

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A REMARKABLE LEGAL TENURE.—At Broughton, near Brig, in Lincolnshire, some lands are (or were) held by the following tenure. Every year, on Palm Sunday, a person from Broughton comes into the church porch, at Caister, having a green silk purse, containing two shillings and a silver penny, tied at the end of a cart-whip, which he cracks three times in the porch, and continues there till the second lesson begins, when he goes into the church and cracks it three times over the clergyman's head, and kneeling before him during the reading of the lesson, he presents the minister with the purse, and continues there during the rest of the service.

MR. SERJEANT HILL — Was eccentric; his eccentricity, as is too often the case, was the cloak for selfishness and ill-nature.

A SENTIMENT.—What can idle and penal laws do without religion and morality? If the moral feelings of a people are completely relaxed or forgotten, little can be expected from the penalties and restraints of highly paid judges and venal advocates.

"Quid lege sine moribus, Vanæ proficiunt."—*Horace.*

LORD ERSKINE — Had only one object in life—money-grubbing. He acquired a large fortune, which he invested in transatlantic securities, anticipating the possibilities of convulsions at home. Considering this was done at the time of the French revolutionary war, it speaks little in favour of his patriotism; and the event proved that he was deficient in foresight.

A TRUISM.—"Regula ex jure, non jus ex regula, sumitur" —we draw the rule from the law, and not the law from the practice.—*Jus. Antig.*

SIR VICARY GIBBS.—Better known as Sir Vinegar Gibbs, was flacculent, acid, and personal. The less known about his private life the better. Gibbs hated attorneys, and used to call them "the prowling jackals, and predatory pilot-fish of the law."

EPITAPH ON JOHN ANDREW, baillie's clerk, of Banff, *circa* 1650.—

Here lies a man whose tongue and pen
Did what they could to chisel men;
His life did prove most christian:
He rests, in hopes to talk law agin.

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A SEWER—Was an officer who arranged the dishes on the table.

"Marshall'd feast
Served up in hall with sewer and seneschal."
Milton.

A PUNY CLARKE.—He is tane from grammar-schoole halfe codled, and can hardly shake off his dreames of breeching in a twelve-month. Hee is a farmer's sonne, and his father's utmost ambition is to make him an atturney. He doth itch towards a poet, and greeses his breeches extremely with feeding without a napkin. He studies false dice to cheat costermongers. Hee eats gingerbread at a play, and is so sawny, that he ventures fairly for a broken pate at the banquetting-house, and hath it, but for a long vacation, for that makes him bethinke him how hee shall shift another day. Hee prays hotly against fasting: and so hee may sup well on Friday nights, he cares not whether his master be a Puritane. He practises to make the words in his declaration spread, as a sewer (serving-man) doth the dishes at a niggard's table; a clarke of a swooping dash is as commendable as a Flanders horse of a large taile. Though you may be so much delay'd, you must not call his master knave, that makes him goe beyond himselfe, and write a challenge in court-hand; for it may be his own another day. These are some certaine of his liberall faculties; but in the tearme time his clog is a buckrom bag. Lastly, which is a great pitty, he never comes to his full growth, with wearing on his shoulder the sinfull burthen of his master at severall courts in Westminster.

SIR WALTER RALEIGH.—The abominable injustice of executing a man for political purposes is not without many parallels in history; but the singular and peculiar baseness of prostrating the law of England to the will of a foreign power, thereby murdering in the name of the law, one of the most distinguished men of the age, has been left to the judges of England to perpetrate.

ANTIGONUS.—Laws not executed are of no value, and as well not made as not practised.

LEVY BY DISTRESS.—

Here, in a subterranean recess
Dwelt imps of darkness, evil-doing dogs:
That like your lawyers, "levy by distress,"
And whom, too, conscience very rarely jogs;

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Here they carouse, in diabolic glory,
And toast the rascals most renown'd in story.

It is certain that the whole power of a king of England cannot force an acre of land from the weakest of his subjects; but a knavish attorney will take away his whole estate by those very laws which were designed for its security.

SOCRATES.—Laws are not made for the good.

A LEGAL ERROR.—It is an error to suppose that the body of a debtor may be taken in execution after his death, which, however, was practised in Prussia before Frederic II. abolished it by the Code Frederique.

SALARIES OF THE JUDGES.—In the reign of Edward I. the salaries of the justices were very uncertain, and, upon the whole, they sunk from what they had been in the reign of Henry III. The Chief Justice of the Bench in 7 Edward I. had but 40*l.* per annum, and the other justices their 40 marks, or 33*l.* 6*s.* 8*d.*, which may be considered as an evidence of the increase of business and attendance there. The Chief Baron had 40*l.*; the salaries of the other judges and barons were reduced to 20*l.*

ERSKINE.—It is well known that Erskine was so fond of the monosyllable "I" that he got the name of Counsellor Ego. Flattered by his friends as the champion of the trial by jury, he chose those words on his promotion for his motto. Garrow told him he might have chosen fully as appropriate, and a more classical one from Virgil—"Ille Ego qui quondam."

AN EPIGRAM.—

Law's like a two-edged sword—it cannot miss,
And now it cuts on that side, now on this;
To rush in law wise men are ever loth,
For, cut on one side, then you're cut on both!

GAME LAWS.—The idea seems very ancient that an exclusive right to game and other *feræ naturæ* does not rest on the same basis as other property.

Mankind will not be easily convinced that stealing a hare or a partridge is as bad as stealing a man's purse. While this continues the popular feeling, it is in vain to multiply acts for the preservation of game. Laws to be efficacious should be in accordance with public opinion; if not, they only disturb the peace of society, excite ill-blood and contention, and multiply crimes and offences instead of diminishing them.

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LAWYERS DON'T LOVE BEGGARS.—There is enough here one would think to deter the most obstinate litigant from resorting unnecessarily to the legal profession. So far as the author's observation and experience has gone, he does not blame the lawyers more than their clients. In a state of nature man is naturally a pugnacious animal ; in a civilized state he seems as naturally a litigious one. The real defect, however, is in "the glorious uncertainty of the law" itself, which by some curious property, possesses the double power of repulsing and attracting its victims ; while in the arrogance of lawyers and solicitors, in the delay and anxiety of waiting the issue of suits, and the enormous expense of attending them, there is enough to deter any one from going to law. The law itself creates the necessity by its uncertainty, and the necessity we are constantly under of appealing to its contradictory and ever-varying decisions to ascertain our rights and properties.

WIDOWHOOD. — The history of all antiquity gives the strongest reasons to suspect that widows were often the prey of the lawless tyrant, who spoiled them with impunity, because they had none to help them. In the eighth century one of the canon laws enacted that none should presume to disturb widows, orphans, and weak people ; and no sentence could be executed against a widow without advising the bishop of the diocese of it. These circumstances create a strong suspicion that widows were often oppressed ; otherwise why so many laws for their particular protection ?

A MEERE COMMON LAWYER.—Is the best shadow to make a discreet one shew the fairer. Hee is a *materia prima* informed by reports, actuated by statutes, and hath his motion by the favourable intelligence of the court. His law is always furnisht with a commission to arraigne his conscience : but upon judgement given, he usually sets it at large. Hee thinks no language worth knowing but his Barragouin. Onely for that point he had beene a long time at warres with Priscian for a northerne province. He imagines that by super-excellency his profession onely is learning, and that it's a profanation of the temple to his Themis dedicated, if any of the liberall arts be there admitted to offer strange incense to her. For, he is all for mony. Seven or eight years squires him out, some of his nation lesse standing, and ever since the night of his call, he forgot much what he was at dinner. The next morning his man (in actua or potentia) injoyes his pickadels. His landresse is then shrewdly troubled in fitting him a ruffe ; his perpetuall badge. His love-letters of the last yeare of his

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gentlemanship are stuft with discontinuances, remitters, and uncore prists: but now being enabled to speake in proper person, he talkes of a French-hood instead of a joynture, wages his law, and joynes issue. Then he begins to sticke his letters in his ground chamber window, that so the superscription may make his squire-ship transparent. His heraldry gives him place before the minister, because the law was before the Gospel. Next terme he walkes his hoop-sleeve gowne to the hall: there it proclaims him. He feeds fat in the reading, and till it chances to his turne, dislikes no house order so much, as that the month is so contracted to a fortnight. 'Mongst his contrey neibhours he arrogates as much honour for being reader of an Inne of Chancery, as if it had been of his own house. For they, poore soules, take law and conscience, Court and Chancery for all one. He learn'd to frame his cases from putting riddles, and imitating Merlin's prophecies, and to set all the crosse-row together by the ears. Yet his whole law is not able to decide Lucans one old contraversie 'twixt Tau and Sigma. He accounts no man of his cap and coat idle, but who trots not the circuit. Hee affects no life or quality for itselfe, but for gaine; and that at least, to the stating him in a justice of peace-ship, which is the first quickning soule super-added to the elementary and inanimate forme of his new title. His tearmes are his wive's vacations. Yet she then may usurpe divers court-daies, and hath her returnes in mensem, for writs of entry: often shorter. His vacations are her termers. But in assise (the circuit being long) he may have a tryall at home against him by nisi prius. No way to heaven he thinkes, so wise, as through Westminster Hall; and his clarkes commonly through it visit both heaven and hell. Neither is he wholly destitute of the arts. *Grammer* hee hath enough to make termination of those words which his authority hath endenizon'd. *Rhetoricke* some: but so little, that it is thought a concealment. *Logicke* enough to wrangle. *Arithmeticke* enough for the ordinals of his yeare books: and number roles: but he goes not to multiplication; there's a statute against it. So much *geometrie*, that he can advise in a perambulatione facienda, or a rationalibus divisis. In *Astronomy* and *Astrology* he is so far seene that by the Dominicall letter he knowes the holy dayes, and finds by calculation that Michaelmas terme will be long and dirty. Marry, hee knowes so much in *Musicke* that he only affects the most and cunningest discords; rarely a perfect concord, except in fine. His skill in *Perspective* endeavors much to deceive the eye of the law, and gives many false colours. He is specially

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practised in *Necromancy*, (such a kind as is out of the statute of Primo) by raising many dead questions. What sufficiency he hath in criticisme, the foule copies of his speciall pleas will tell you. Many of the same coat which are much to be honored, partake of divers of his indifferent qualities: but so, that discretion, vertue, and sometimes other good learning, concurring and distinguishing ornaments to them, make them as a foyle to set their worth on.

SPANISH.—A man in debt is stoned every year. That is, he is dunned, persecuted, and ultimately harassed to death, by the perpetual visitation of his creditors. It is a question, worthy of the attention of Parliament, to ascertain how many persons in this commercial country are annually driven to suicide or Bedlam from pecuniary embarrassment. One of the greatest improvements in legislation would be to follow the example of America, and abolish compulsory process for the recovery of debts. It would not only root out a fruitful source of litigation and inconsiderate speculation, but abolish a gross anomaly in our jurisprudence. To give the arbitrary power of imprisonment to a creditor is to identify the prosecutor with the judge, and to make a man amenable not to fixed laws, but to the passions and caprice of incensed individuals. A hog upon trust grunts till he is paid for.

LAWYERS IN PARLIAMENT—Are eaten up by mutual rivalry and ambition; it is a profession into which no one enters without views of aggrandizement; if by any contrivance or clap-trap the representative function be obtained, it is mostly used only as a stepping-stone to widen practice at the bar or to Government employment. As legislators they seek only to serve themselves, not their constituents, and their course is rarely marked by patriotic independence.

THE STATUTE AGAINST THE EXCESSE OF APPARELL.—Statutes of this nature were frequently enacted. The earliest "Act of Apparel" seems to have been passed in 3 and 4 Edward IV.

JOE HAINES—The actor, was arrested by two bailiffs for a debt of twenty pounds just as the Bishop of Ely was riding by in his carriage. Quoth Joe to the bailiffs, "Gentlemen, here is my cousin, the Bishop of Ely; let me but speak a word to him, and he will pay the debt and costs." The bishop ordered his carriage to stop, whilst Joe close to his ear whispered, "My lord, here are a couple of poor wanderers, who have such terrible scruples of conscience that I fear they will hang themselves!"

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Very well," replied the bishop. So calling to the bailiffs he said, "You two men come to me to-morrow, and I will satisfy you." The bailiffs bowed and went their way. Joe (tickled in the mid-riff, and hugging himself with his device) went his way too. In the morning the bailiffs repaired to the bishop's house. "Well, my good men," said his reverence, "what are your scruples of conscience?" "Scruples!" replied the bailiffs, "we have no scruples. We are bailiffs, my lord, who yesterday arrested your cousin, Joe Haines, for twenty pounds. You promised to satisfy us to-day, and we hope you will be as good as your word." The bishop, to prevent any further scandal to his name, immediately paid the debt and costs.

A SURVEY OF WESTMINSTER HALL ON THE FIRST DAY OF TERM.

As holes where thieves have lurk'd all day
  Vomit at night, upon the lay,
Their darkness-loving race;
  So now each inn about the town
Lets out its tribes with wig and gown—
  To haunt this Gothic place.

What lengths of sable sweep along!
  What groves of curls—and what a throng
Of little dangling tails!
  It is no wonder such a sight
Should oft put justice in a fright—
  And make her drop her scales.

'Tis said from Paradise when hurl'd,
  That Satan visited the world;
And to begin our woes,
  He sow'd a hellish seed call'd strife,
Which vegetated into life—
  When up a lawyer rose.

He lodg'd him in a spacious place;
  That it might wear a holy face,
He called the spot the Temple;
  And, rather than a wolf design,
Plac'd on the door a Lamb divine—
  As of his trade a sample.

When thus set up, he thought a wife
  Would much assist his rise in life,

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And soon he found a prize—
  A Mistress Falsehood, who before
Had a large host of children bore—
  Call'd by the vulgar—*Lies.*

These he adopted, brought up all;
  And, I am told, within this hall,
They first were put to school.
  He taught them quibbling as they grew,
And from their dam, a woman true,
  They learned to over-rule.

They cheated, prospered, and increas'd,
  Nor has their population ceas'd,
As you may here descry,
  And, as the issue has not fail'd,
I fear the curse will be entail'd
  On all posterity!

But, still to them some praise is due;
  With filial duty they pursue
The origin of evil,
  And labour still with hand and tongue,
To prove the scion whence they sprung
  Was planted by the devil!

OATHS.—One of the oldest expressions extant for an oath, signifies merely to give security, now an honest man's word is sufficient security, both in private life and in a court of justice; an oath is a declaration which includes a security for the truth or falsehood of anything.

LAWS OF SLAVERY.—There are no slaves in England; one may be a villein here, but not a slave (2 Salk. 666)—desperate and depraved, sunk in the grossest ignorance, and dispirited by ill usage, can slaves willingly exert their sinews for their tormentors? Can confidence be reposed in men who are lashed into their daily occupations? Can it be expected that individuals who are treated worse than beasts of the field should assert their claims to the privileges of intellect and virtue? The most notorious case of slave holding appears to have been in the Gladstone family, on the famous, or rather infamous, sugar plantation in Demerara, called Vreeden's Hoop, and on it were flogged, sold, and —— 553 slaves. In 1834 West Indian slavery was abolished. Compensation to the amount of twenty millions of public money was voted, out of which the Gladstones, as being black cattle owners, received—

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	Slaves.	£	s.	d.
John Gladstone . . .	193	10,278	5	8
John Gladstone . . .	272	14,271	8	11
John Gladstone and George Grant and Robertson Gladstone	393	21,011	2	7

So the present Gladstone's father alone stood as the owner of 880 slaves, for whom he received 47,442*l.* 14*s.* 6*d.*, so that for the whole number of slaves of the Gladstone family, 1273, this family received to emancipate them from the taxpayers of England, 68,454*l.* 17*s.* 1*d.* It is discouraging to discover, after the description given by W. E. Gladstone, of the 140 valetudinarians of Vreeden's Hoop, that the slaves were valued all round at within a fraction of 53*l.* 15*s.* 6*d.*, instead of at the ordinary average of 51*l.* 17*s.* 1½*d.* It may be assumed that the extra 1*l.* 18*s.* 4½*d.* indicates not only their restoration to health, but also an increase of strength, by which they became a more valuable property.

UP HOLEBORNE AND SO TO TYBURNE.—Holborn was the old road from Newgate and the Tower to the gallows at Tyburn. "Holeburne" seems to have been the original name of this locality, and not "Oldborne," as generally stated.

A PSALME OF MERCY.—It was formerly the practice to sing a psalm or hymn at the execution of criminals—

"While Newgate is a mansion for good fellows,
And Sternhold's rhimes are murder'd at the gallows."

CATO THE ELDER.—The public has more interest in the punishment of an injury than he who receives it.

KING'S BENCH PRACTICE.

Chap. 10*th.*

OF JUSTIFYING BAIL.

Baldwin.

Hewit. Call Taylor's bail,—for I
Shall now proceed to justify.
Hewit. Where's Taylor's bail?
First Bail. I can't get in.
Hewit. Make way.
Lord Mansfield. For Heaven's sake begin.
Hewit. But where's the other?
Second Bail. Here I stand.
Mingay. I must except to both. Command
Silence; and if your lordships crave it,

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Austen shall read your affidavit.

Austen. Will Priddle, late of Fleet Street, gent,
Makes oath, and saith, that late he went
To Duke's Place, as he was directed
By notice, and he there expected
To find both bail—but none could tell
Where the first bail lived—

Mingay. Very well.

Austen. And this deponent further says,
That asking what the second was,
He found he'd bankrupt been, and yet
Had ne'er obtain'd certificate.
When to his house deponent went,
He full four stories high was sent,
And found a lodging almost bare;
No furniture but half a chair,
A table, a bedstead, broken fiddle,
And a bureau. (Signed) William Priddle.
Sworn at my chambers, Francis Buller.

Mingay. No affidavit can be fuller.
Well, friend, you've heard this affidavit:
What do you say?

Second Bail. Sir, by your leave, it is all a lie.

Mingay. Sir, have a care.
What is your trade?

Second Bail. A scavenger.

Mingay. And, pray, sir, were you never found
Bankrupt?

Second Bail. I'm worth a thousand pound.

Mingay. A thousand pound, friend? Boldly said!
In what consisting?

Second Bail. Stock-in-trade.

Mingay. And pray, friend, tell me,—do you know
What sum you're bail for?

Second Bail. Truly no.

Mingay. My lords, you hear,—no oaths have checked him.
I hope your lordships will—

Willes. Reject him.

Mingay. Well, friend, now let me hear where you dwell.

First Bail. Sir, I have lived in Clerkenwell
These ten years.

Mingay (*aside*). Half a guinea dead.
My lords, if you've the notice read,
It says Duke's Place,—so I desire
A little further time t' enquire.

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Baldwin. Why, Mr. Mingay, all this vapour?
Willes. Take till to-morrow.
Lord Mansfield. Call the paper.

LEGAL JEWELRY.—Seventeen sergeants were made the 14th day of November (temp. Charles II.). The Lord Chief Justice told the junior sergeant (one Powis) that he had something to say to him, viz., that the rings which he and the rest of the serjeants had given weighed but eighteen shillings a piece; whereas Fortescue in his book, "De laudibus Legum Angliæ," says, "The rings given to the Chief Justice and to the Chief Baron ought to weigh twenty shillings apiece," and that he spoke not this expecting a recompense, but that it might not be drawn into a precedent, and that the young gentlemen there might take notice of it.

The motto inscribed on the rings of these seventeen learned serjeants would not have disgraced the gentlemen practising in the courts of Algiers or Constantinople—"A Deo Rex, A Rege Lex!"

In the Braybrooke Collection is a gold band-ring found at Wimbish, in Essex (Archæological Institute Journal), described as a serjeant-at-law's gold ring, the hoop three-eighths of an inch in width, and of equal thickness; the motto "Lex regis præsidium."

Juvenal alludes to the practice of lawyers exhibiting their rings when pleading.

"Ideo conducta Paulus agebat Sardonyche et que ideo pluris quam Cossus agebat quam Basilas. Rara in tenui faccundia panno."

Lord Brougham, who detested all lawyers, except himself, suggested that the most appropriate motto that could be found for serjeants' rings would be the old legal word, "Scilicet."

SCILICET—An adverb, signifies, that is to say, to wit, and hath been used in law proceedings. It is not a direct and separate clause, nor a direct or entire clause, but "intermediæ;" neither is it a substantive clause of itself, but it is rather to usher in the sentence of another, and to particularize that which was too general before, or distribute that which was too gross, or to explain what was doubtful and obscure, and it must neither increase nor diminish, for it gives nothing of itself; but it may make a restriction, where the precedent words are not so very express, but they may be restrained

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(*Sir John Hobart*). None but lawyers can understand such a definition, and none but lawyers want to.

FIELD ALE—A kind of drinking in the field, by bailiffs of hundreds, for which they gathered money of the inhabitants to which they belonged.

UNUSED LAWS.—There are laws on the Scottish statute-book unrepealed, which prescribe the punishment of the loss of the right hand for the third offence of shooting pigeons. They may be considered as fallen into desuetude, like other laws unrepealed, such as the statute against fornication, in 1567, by which it is ordained that all persons guilty, as well the men as the women, "shall be ta'en to the deepest and foulest poole or water of the parochin, and there to be thrice douket; and thereafter to be banished the said town or parochin for ever."

JUDICIAL BUFFOONERY.—On the making of a law serjeant, he is (or was) presented to the Lord Chancellor by some brother barrister (styled his "colt"), and he kneels while the Chancellor attaches to the top of his wig the little round bald patch that now does duty for the "coif," which is the special badge of the serjeant.

The new serjeant presents a massive gold ring to the chancellor, another to his "colt," one to the sovereign, and one each to the masters of the Common Pleas. These rings used also to be given to all the judges, but through pressure of public opinion, the judges have refused to receive them, thus diminishing a somewhat heavy tax.

SECRET EXAMINATION OF WITNESSES.—Voltaire, in his Commentary on Beccaria's, "Treatise on Crimes and Punishments," speaks thus of the French practice, with regard to the examination of witnesses in secret: "With us everything is done secretly; a single judge, with his clerk, hears every witness, the one after the other. This practice, established by Francis I., was authorized by the Commissioners who prepared the ordinance of Louis XIV. in 1670. A mistake alone was the cause of it." Voltaire then explains from Bernier that a passage in the civil law had been misunderstood, enjoining witnesses, "intrare judicii secretum," which only signifies that they should enter the judge's private chamber, but does not direct that they should be secretly examined.

EPITAPH ON ONE PUT TO DEATH FOR STEALING A SHEEP.—

"Here lies the Horner of Horncliffe,
Puir Tam Gordon, cauld and stiff;

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Who in this narrow hole was putt in,
For his lawless love of wedded mutton."

LORD MANSFIELD—Examining a witness, asked, "What do you know of the defendant?" "Oh, my lord, I was up to him." "Up to him! what do you mean by that?" "Mean, my lord! why, I was down upon him." "Up to him, and down upon him; what does the fellow mean?" "Why, I mean, my lord, I stagged him." "I do not understand your language." Witness: "Lord, what a flat you must be!"

A PROVERB.—The more laws, the more offenders.

LORD CLARE—Had a favourite dog that sometimes followed him to the bench. One day, during an argument of Curran's, the Chancellor, in the spirit of habitual petulance which distinguished him, instead of attending to the argument, turned his head aside, and began to fondle his dog. The counsel stopped suddenly in the middle of a sentence. The judge started. "I beg pardon," said Curran, "I thought your lordships had been in consultation; but as you have been pleased to resume your attention, allow me to impress upon your excellent understandings that," &c.

BENEFIT OF CLERGY.—This is a legal phrase, or technical term, which is necessarily often repeated in criminal reports, while numbers are not apprized of its full meaning or its origin.

LEX POMPEIA.—By this law of the Romans, parricides were ordained to be put into a sack, with a dog, a cock, a viper, and an ape, and thrown into the sea. By the ancient Jewish law it was death for children to curse or strike their parents.

LEGAL EXECUTIONS—Not being altogether so frequent in Sweden as in England, there are many towns in that country without an executioner. In one of these a criminal was sentenced to be hanged, which occasioned some little embarrassment, as it obliged them to bring a hangman from a distance at a considerable expense, besides the customary fee of two crowns. A young tradesman, belonging to the City Council, giving his sentiments, said, "I think, gentlemen, we had best give the malefactor the two crowns, and let him go and be hanged where he pleases."

FACILITIES OF THE LAW—Was a term Pope Sextus V. detested—he far preferred his favourite maxim, "To have the gibbets and gallies full, than the prisons." "Facility" is a

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very open word. We have the Greek πραος and πραοτης; the Latin *facilis* and *facilitas;* the Spanish *facil* and *facilitad;* the French *facile* and *facilité;* the Italian *facile* and *facilità.* In the Latin tongue, the parent of most modern languages, no word is more frequent. Deos faciles—facilis rogantibus—facilis parens veniæque paratus—Ovid, facillimus et liberalissimus homo. Lenis et facilis homo. Ad concedendum facilis—abuti immoderate facilitate alicujus—dignitate principilus, facilitate parem infinis—Cicero, facilis impetrandæ veniæ—Claudius. Livy—blandus facilisque maritus. Silius Ital.—facilis pater—Terence. It is not easy to understand how the word can be used with regard to law or lawyers.

SCOTCH LAW.—Among the expedients which the lawyers for the Crown devised to degrade jurymen into becoming senseless instruments of tyranny, there was one which vested the power of convicting in the judges, when the jury doubted not only the criminality of the fact, but even the fact itself. For this purpose they drew up their indictments very circumstantially, not only stating the crime, but also the minute facts, trifling or important, from which they inferred the prisoner's guilt. When it was suspected that a jury would find a crime in general proved, they were required to return a "special verdict!"

TORTURE—Was a creature of the civil law, which, as we know, insisted on the bringing in of this instrument to all those countries where that law established itself; hence it is that in nearly every state in Europe torture was at one time or another not only practised, but legally practised; and the ingenuity of the law, which hath found out many inventions, excelled so in this particular, that if angels wept, fiends must have rejoiced at the fantastic tricks which lawyers dressed in wigs played before high heaven. From England, the civil law, with its grim array of infernal machines, in spite of the great exertions of the judicial profession, was ever rigidly shut out; and when an attempt was made in the twentieth year of Henry III. to introduce a salutary principle out of the Roman law into the English system, the barons at the parliament of Merton would not countenance the innovation, but said with one voice: "Nolumus leges Angliæ mutare!"

PUNISHMENT FOR SUICIDE.—On an account of the great number of suicides a legal M.P. moved for leave to bring in a bill to make it a capital offence.

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A SATYRE ON THE CONSISTORY COURTS.—
TEMP: EDWARD II.

" Furst there sit an old cherl in a blake hure,
Of all that ther sitteth semeth best syre,
And lefth ys leg o louke.
An heme in an herf goud with honginde sleven,
Ant mo then fourti him by-fore my bales to breven,
In sunnes' zefy songe:
Heo pynkes' with heore penne on heore parchemyn,
Ant sayen yam breved anty-broht yn
Of al my weole wlonke.
Alle heo bueth redy myn routhes to rede,
The y mot for menske muntesum mede,
Ant thonkfwlliche hem thonke.
Shal y thonke hem ther er y go?
Ze, the maister ant the men boo.
Zef y am ureint in heore write,
Thenne am y bac-bite,
For moni mon heo maketh wyte
Of wymmene wo.
Zet ther sitteth somenours syexe other sevene,
Mys motinde men alle by here evene,
Ant recheth forth heore rolle;
Hynd-men hatieth, ant uch mones hyne,
For everuch a parosshe heo polketh in pyne,
Ant clastreth with heore colle.
Nou wol uch fol clerc that is fayly,
Wende to the bysshop ant bugge bayly;
Nys no wyt in is nolle.
Come to countene court couren in a cope,
Ant suggen he hath privilegie proud of the Pope
Swart ant al to-swolle.
Aven heo to-swolle for swore?
Ze, the hatred of he'le beo heore!
For ther heo beodeth aboke,
To sugge asey folht toke;
Heo shalen in helle on an hoke
Honge therefore.

TRANSLATION.—First, there is an old churl in a black gown, of all who sits there he seems to be most the lord, and lays his leg along. A hem in a cloak with hanging sleeves, and more than forty before him to write my bales, in sins if I sung:—They pink with their pens on their parchment, and say I am briefed and bought in, of all my fair wealth. They

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are all ready to read my sorrow, there I must out of respect give some bribe, and gratefully thank them. Shall I thank them there before I go? Yea, the master and his men both. If I am accused in their writing, then am I back-bitten, for many men they make to know. Woe from women. Yet there sit somnours six or seven, misjudging men all alike, and reach forth their roll; herdsmen hate them, and each man's servant, for every foolish parish they put in pain, and clatter with their collar (?) Now will each foolish clerk that is . . go to the bishop and buy bailywick; there is no sense in his head. He comes creeping to the county court in a cope, and saying he hath proud privilege of the Pope, black and all swollen. Are they swollen for swearing (?)? Yea, the hatred of hell be theirs, for there they offer a book, to say as I baptism took; they shall in hell on a hook hang for it.

SIR JULIUS CÆSAR.—"Pray Mr. ——," said his lordship, "are you concerned for the prosecutor?" "No, my lord, I am employed for the prosecutor; but I am concerned for the prisoner."

COMMON LAW OF ENGLAND.—The appellation of common law originated with Edward the Confessor. The Saxons, though divided into many kingdoms, yet in their manners, laws, and languages were similar. The slight differences which existed between the Mercian law, the West Saxon law, and the Danish law, were removed by Edward with great facility, and without any dissatisfaction; he made his alteration rather famous by a new name, than by new matter, for abolishing the three distinctions above mentioned, he called it the Common Law of England.

PLURIES—"At several times." A name given to a writ, which issues after two former writs have gone out without effect. The original writ is the capias (which see), then follows an alias (which see); which failing, the pluries issues.

Plurima sunt, quæ
Non audent homines pertusa dicere laena.
Juvenal.

"There are very many things, which men dare not give utterance to when in rags and tatters."

A WELSH JUDGE—Celebrated as a suitor for all sorts of places, and his neglect of personal cleanliness, was thus addressed by Mr. Jekyll:—"As you have asked the ministers for everything else, why have you never asked them for a piece of soap and a nail-brush?"

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LACTANTIUS.—The accused is not guilty till he is convicted.

THE LAWS OF THE TWELVE TABLES.—In the year of the city 300, the Romans, who had hitherto been governed by very imperfect laws, sent three deputies to Greece to make an exact collection of the laws of Solon, the lawgiver of the Athenians. On the return of the deputies the Decemviri were elected; that is, ten of the most distinguished citizens were appointed with sovereign authority to dispose these laws under proper heads, and propose them to the people. They were at first summed up in ten tables, but in the following year two more were added. Hence they were called "The Laws of the Twelve Tables"—the foundation of the Roman jurisprudence.

A LEGAL PROVERB.—Hell and Chancery are always open.

DÆMONUM CERTAMEN.—

A lawyer and an usurer contended,
Which in 's profession was the most befriended;
And for experience more to have it tried,
A scrivener must the difference decide:
To whom (quoth he) you're like the fox and cub,
One shall be Mammon, th' other Belzebub.

EPITAPH ON JOHN MURCHI AND DANIEL NEIKLEWRATH, WHO WERE PUT TO DEATH WITHOUT LAW.

Here in this place two martyrs lie,
Whose blood to heav'n hath a loud cry.
Murder'd contrary to divine laws,
By bloody Drummond they were shot
Without any trial, near this spot.

THE IMMORTAL PITT.—When in 1759, he brought forward his measure for extending the "Habeas Corpus," he discovered that the great body of the judges were unfriendly to it. When the time for fixing their salaries came, the Duke of Newcastle was told by the minister that "the increase in their salaries had been to reward them for their complaisance on the bill of 'Habeas Corpus,' and that it was the largest fee ever given." This so alarmed the Duke that he persuaded a member of the Commons to drop a bill which he had introduced for converting the judges' commissions during good behaviour into patents for life. When the increased salaries came under discussion in the House, they were severely attacked, "and," says Lord Oxford, "a Mr. Coventry told many entertaining stories of the judges and their rapaciousness upon the circuit, and of casual presents which they had converted into standing usages." The motion, however, was carried by 169 to 39,

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which occasioned Charles Townsend to say, "That the book of Judges had been saved by the book of Numbers."

A GRATEFUL HUSBAND.—An old farmer, dictating his will to a lawyer, said, "I give and bequeath to my wife the sum of 100*l.* a year. Is that writ down, master?" "Yes," said the lawyer; "but she is not so old, but she may marry again. Won't you make any change in that case? Most people do." "Ah, do they? Well, write again, and say if my wife marry again, I give and bequeath her the sum of 200*l.* a year. That'll do surely?" "Why, that's just doubling the sum she would have had, if she had remained unmarried," said the lawyer; "it's generally the other way." "Ay, I ken that," said the farmer; "but him that takes her for a wife again will need it a'."

LAMENTATION OF COUNSELLOR LAYER, EXECUTED AT TYBURN.—

A counsellor I was of late,
And oft I did for justice plead,
I lov'd both noble, Rich, and Great,
Till I pursu'd this fatal Deed;
Who by a woman was betray'd,
And I was apprehended soon,
And now I am arraigned and cast,
And thus you see poor Layer's doom.

At Westminster I took my tryal,
Which lasted sixteen hours long,
While a multitude to hear it,
There into the court did throng;
While I with iron fetters loaded,
For my life did stand to plead,
But no mercy is afforded,
I must suffer for the deed.

I boldly for a while did plead,
And spoke up on my own defence,
But yet my case was made so plain,
Guilty was I of the offence,
At four o'clock all in the morning,
I was then cast for my life,
And I at Tyburn must expire,
A grief unto my dearest wife.

Extracts from an old ballad.

Layer's head remained upon Temple Bar upwards of thirty years, when a storm at last blew it down. The pieces were picked up by Mr. John Pearce, Attorney-at-Law.

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NEWGATE.—The earliest authentic mention of Newgate as a gaol or prison for felons and trespassers occurs in the reign of King John.

ORIGIN OF THE HABEAS CORPUS.—"The oppression of an obscure individual gave rise to it" (Blackstone). Francis Jenks proposed at Guildhall in 1676 to petition the King for a new parliament; for this offence he was confined two months in prison, and suffered from various illegal proceedings.

THE PRESS WARRANT OF HENRY VI.—Minstrels used mimicry and action; it is observable that old monkish historians seldom use the words cantator, citharædus, musicus, or the like, to express a minstrel in Latin, but either mimus, histrio, joculator, or some other word that implies gesture. There is a remarkable instance of this in Joinville's "Life of S. Lewis," which shows that the minstrels were sometimes very dextrous tumblers, and posture-masters. "Avec le Prince vinrent trois Menestriers de la Grande Hyermenie (Armenia) . . . et avoient tres cors—quand ils commenceoient a corner, vous dissiez quece sont les voix de cynes. . . . et sesoient les plous douces melodies. Ils sesoient trois merveilleus saus, car on leur metoit une touaille desous les piez, et tournoient tout debout. . . . Les deux tournoient les testes arieres, &c." This will account for that remarkable clause in the press warrant of Henry VI. "De ministrallis propter solatium regis providendis," by which it is required that the boys to be provided in arte ministrallatas infractas, should also be membris naturalibus elegantes.

LORD WINTOWN.—The Lord High Steward, fully illustrated the ancient legal horror against treason by condemning Lord Wintown "to be hanged, to be cut down alive, to be 'disembowelled' before his face, the bowels to be burnt, and the body quartered."

TWENTY thieves might be seen hanging on a single gibbet. —*Sir Thomas More's "Utopia."*

MARGARET DARY was boiled alive in Smithfield. Temp. Henry VIII.—*Froude.*

THE PILLORY.—Alice, wife of Robert de Cranston, was put in the thew, or pillory for women, for selling ale of short measure, and so was Margery Hore for selling putrid soles, the fish burnt, and the cause of her punishment proclaimed.

LORD ELLENBOROUGH—As a criminal judge was reputed

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to delight in severity. Dining one day at an assize dinner, some one offered to help him to some fowl. "No ; I thank you," said his lordship; "I mean to 'try' that beef." "If you do, my lord," said Jekyll, "it will be hung beef."

TORTURE AND THE LAW.—One Fian, supposed to be a male wizard, was put to the most severe and cruel torture and pain in the world, called the "boots." As he would not confess after three strokes, the king's judges commanded him to have a most strange torment, which was done in the following manner. His nails upon all his fingers were riven and pulled off with an instrument called in Scottish a "turkas," which in England we call a pair of pincers, and under every nail there was thrust in two needles over even up to the heads. At all of which torments the victim of the law never shrank any whit.

EPITAPH ON A RICH ATTORNEY.—

Beneath this verdant hillock lies
Demar, the wealthy and the wise ;
His heirs, that he might safely rest,
Have put his carcase in a chest;
The very chest in which they say,
His other half, his money lay :
And if his heirs continue kind
To that dear self he left behind,
I dare believe that four or five
Will think his better half alive.

FOREMAN OF THE JURY.—One who engrosses all the talk to himself, or speaks for the rest of the company.

THREE-LEGGED MARE OR STOOL.—The gallows formerly consisted of three posts, over which were laid three transverse beams. This clumsy instrument of legal coercion has, however, given place to an elegant contrivance called "The New Drop." In Dublin the patients were turned off outside the prison by the falling of a board, propped up, and moving on a hinge, like the leaf of a table. Hence the phrase "to go off with the fall of the leaf!"

GREGORY BRANDON.—This hangman was granted a coat of arms by Sir William Segar, being imposed upon by Brooke, a herald.

JARNDYCE AND JARNDYCE "has passed into a joke. That is the only good that has ever come of it. It has been death to many, but it is a joke to the profession. Every Master in Chancery has had a reference in it. Every

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Chancellor was 'in it,' for somebody or another, when he was counsel at the bar. Good things have been said about it by blue-nosed, bulbous-shoed old benchers, in select port wine committee after dinner in hall. Articled clerks have been in the habit of fleshing their legal wit upon it. The last Lord Chancellor handled it neatly, when, correcting Mr. Blowers, the eminent silk gown, who said such a thing might happen when the sky rained potatoes, he observed, 'Or when we get through Jarndyce and Jarndyce, Mr. Blowers'—a pleasantry that particularly tickled the maces, bags, and purses."—*Charles Dickens.*

EPITAPH (LEEDS) ON AN ALDERMAN LEARNED IN THE LAW.

Here lies William Curtis, late our Lord Mayor,
Who has left *this here* world and has gone to *that there.*

PRIVATE INVESTMENTS IN PRISONS.—The following are some of the great people who owned prisons in the eighteenth century :—The Dukes of Portland (proprietor of Chesterfield gaol, consisting of one room with a cellar in it), Devonshire, Norfolk, and Leeds ; the Marquis of Carnarvon ; Lords Salisbury, Exeter, Arundel, and Derby ; the Bishops of Salisbury, Ely, and Durham, and the Dean and Chapter of Westminster. One disgraceful prison was owned by the Bishop of Ely.—*Howard.*

AXIOM.—

In a thousand pounds of law
There's not an ounce of love.

GAOLER'S FEES—Were abolished in 1773, through the exertions of Mr. Popham, M.P. for Taunton.

EPITAPH ON SIR NATHANIEL WRAXALL.—

"Men, measures, seasons, facts, all,
Misquoting, misstating,
Misplacing, misdating,
Here lies Sir Nathaniel Wraxall."

THE notorious Wilkes always declared the name of a lawyer was but another name for a scoundrel. Perhaps in arriving at this conclusion he was guilty of what logicians call imperfect induction ; he deduced a general conclusion from private particulars.

A JUDGE JUDGED.—A most corrupt judge was executed, and an attorney, relating the passage to another, "Alas, poor man," says he, "what a solitary, inglorious, and unsociable end had he!" "Why, how would you have him dy?" says

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the attorney. "I faith," says he, "I would have no man of his condition or profession hang'd, but in due equipage, labelled with an hundred attorneys at least—Solamen miseris socios habuisse doloris."

THE PHARISEES.—We have a law, and by this law he ought to die.

THE INVENTION OF "ONE JENNET, A LAWYER."—This ingenious gentleman promoted the law for hanging criminals first and trying them afterwards, which law, being approved of, received the sanction of the Government without any contradiction; hence the term, "Jeddert justice."

PETER VINE.—At Exeter, on the 5th of October, 1753, a minister of the Holy Gospel, the Reverend Peter Vine, was hanged for paying too boisterous attentions to a young woman who did not appreciate them.—*Newgate Calendar.*

ENGLISH GAME-LAWS.—It is impossible to make an uneducated man understand in what manner a bird, hatched nobody knows where, to-day living on my field, to-morrow in yours, should be as strictly property as the goose, whose whole history can be traced from the egg to the spit.

PENAL LAWS.—There are, or were, one hundred and sixty offences punishable by death, or, as it is legally denominated, without benefit of clergy. This assertion will hardly be credited by any reader of this little book, if ever such there be; however, a very slight study of the criminal laws of England will soon prove its correctness.

"THE BLOODY MACKENZIE."—Sir George Mackenzie, the Lord Advocate, earned the title of the "Bloody Mackenzie" on account of the loathsome and profuse use he made of torture.

HOLY WRIT.—"Whosoever sheddeth man's blood, by man shall his blood be shed." The English law on this head goes further. The effects of the murderer revert to the state; thus, carrying punishment beyond the grave, and involving in its consequences the utter ruin of many a virtuous widow and innocent child, who had looked up alone to it for support. The law of forfeiture in cases of treason and felony is however now abolished.

"BONES."—At the forfeiture of Logan of Restabrig, charged as an accomplice in the Gowrie conspiracy, the dead man's bones were deposited at the bar, that justice might be done on them.

PORTIAN LAW.—The Roman empire never flourished so

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much as during this era, which abrogated the punishment of death; and it fell soon after the revival of the utmost severity of its penal laws.

PERSIA.—The Persians, worshipping the sun as their deity, press murderers to death between two stones.

LAWS FACILITATING DIVORCE.—Martial celebrates a lady who had married ten husbands,—one, indeed, who had an inscription put upon her tomb, signifying that she had buried seven. The Irish epitaph upon a widow, who had left thirteen children behind her, begins oddly enough, "Adieu! sweet maid!"

POOR-LAW.—When a flagrant case of bone-crushing or poor-law abuse occurs, who so eloquent as the *Times* to point it out?—*Thackeray.*

A PARTIAL JUDGE.—

A poor man once a judge besought
To judge aright his cause,
And with a pot of oil salutes
This judge of all the laws.

"My friend," quoth he, "thy cause is good;"
He glad away did trudge;
Anon his wealthy foe did come
Before this partial judge.

A hog well fed this churl presents,
And craves a strain of law;
The hog receiv'd, the poor man's right
Was judg'd not worth a straw.

Therewith he cry'd, "O! partial judge,
Thy doom has me undone;
When oil I gave, my cause was good,
But now to ruin run."

"Poor man," quoth he, "I thee forgot,
And see thy cause of toil;
A hog came since into my house,
And broke the pot of oil."

Whetstone's English Mirror.

THE HABEAS CORPUS ACT—Was carried by an odd artifice in the House of Lords. Lord Grey and Lord Norris were named to be the tellers. Lord Norris was a man subject to the vapours, and not at all times attentive to what he was doing; so a very fat Lord coming in, Lord Grey counted him fourteen as a jest at first; but seeing Lord Norris had

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not observed it, he went on with this misreckoning often; so it was reported to the House, and declared that they who were for the bill were the majority, though it indeed went on the other side; and by this means the bill was passed.—*Bishop Burnet.*

SOCRATES AND HIS JUDGES.—"I have great hopes, O my judges, that it is infinitely to my advantage that I am sent to death; for it must of necessity be, that one of these two things must be the consequence. Death must take away all the senses, or convey me to another life."—*Cicero* (*Tusculan Questions, Book I.*)

CROSS-EXAMINATION.—A lawyer who had been "questioning" a witness for some time, at last got him down to personalities. "Did I understand you to say, sir, that the defendant made certain remarks about me?" "I said so, sir." "Ah! I thought so; well now, sir, I should like to ask if you could substantiate those remarks?" "No, sir; I don't think I could." "Ah! something libellous, I presume. Will you be kind enough to state to the court what he did say?" "Yes, sir; he said you were an honest and truthful man, and—" "That's enough; call the next witness." And the lawyer went into the jury-room for a minute's relaxation without excitement.

LAWYERS.—The body of the law is no less incumbered with superfluous members, that are like Virgil's army, which he tells us was so crowded, many of them had not room to use their weapons. This prodigious society of men may be divided into the litigious and peaceable. Under the first are comprehended all those who are carried down in coach-loads to Westminster Hall every morning.—*Spectator.*

A RETORT.—A lawyer, attempting to say a word for his client after the jury had found him guilty, the judge stopped him, and said, "Your client, sir, is both a knave and a fool." "And he's been tried by a court and jury of his peers," added the lawyer.

MARRIAGE SETTLEMENTS.—The first marriage settlement of considerable length was the invention of an old serjeant who took the opportunity of two testy fathers, who were for ever squabbling, to bring about an alliance between their children. These fellows knew each other to be knaves, and the serjeant took hold of their mutual diffidence for the benefit of the law to extend the settlement to three skins of parchment.—*Tatler.*

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For when upon their ungot heirs,
Th' entail themselves and all that's theirs,
What blinder bargain e'er was driv'n,
Or wager laid at six and seven,
To pass themselves away, and turn
Their children's tenants ere they're born ?

Hudibras.

A LEGAL TREAT.—Government, a Christian Government, gives us a feast every now and then ; it agrees, that is to say, a majority in both houses agrees, that for certain crimes it is necessary a man should be hanged by the neck. Government commits the criminal's soul to the mercy of God, stating that here on earth he is to look for no mercy, keeps him for a fortnight to prepare, provides him with a clergyman to settle his religious affairs (if there be time enough, but Government can't wait), and on Monday morning, the bell tolling, the clergyman reads out the Word of God : "I am the resurrection and the life ;" "The Lord giveth and the Lord taketh away ;" the Government agent seizes the prisoner's legs, and another human being is strangled according to law.—*Thackeray.*

"LEASE-MAKING."—There is an ancient law in Scotland by which lease-making was capitally punished. I am, indeed, far from desiring to increase in this kingdom the number of executions ; yet I cannot but think that they who destroy the confidence of society, weaken the credit of intelligence, and interrupt the security of life, harass the delicate with shame, and perplex the timorous with alarms, might very properly be awakened to a sense of their crimes by denunciations of a whipping-post or pillory.—*Adventurer.*

ON A STATUE OF JUSTICE.—

Q. Tell me why justice meets our eye,
Raised in the market-place on high ?
A. The reason, friend, may soon be told,
'Tis meant to show she's to be sold.

Furetière.

THE RETORT SIMPLE.—

Cries a buck of a lawyer, impatient and hot,
"Into this ragged gown the devil has got!"
The clerk, who endeavour'd to adjust, coax, and pin it,
Cried, "Why, sir, as you say, the devil is in it!"

THE WILL.—

Jerry dying intestate, his relatives claim'd,
Whilst his widow most vilely his memory defamed—

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"What!" cries she, "must I suffer because the old knave,
Without leaving a will, is laid snug in his grave?"
"That's no wonder," says one, "for 'tis very well known,
Since married, poor man, he'd no will of his own."

LAW MAXIM.—Quæ male sunt inchoata in principio, vix bono peraguntur exitu. "Things badly begun, seldom end well. Like beginning, like end."

BANKRUPTCY.—Nothing indeed can be more unhappy than the condition and laws of bankruptcy. "De quo libelli in celeberrimis locis proponuntur, huic ne perire quidem tacitè conceditur," *Tull.* "The man whose conduct is publicly arraigned is not suffered even to be ruined quietly."

"I passed this very moment by thy doors,
And found them guarded by a troop of legal villains;
The sons of public rapine were destroying,
They told me, by the sentence of the law,
They had commission to seize all thy fortune."

BAR ORATORY.—How ridiculous it is to see a man hold up his head with the utmost serenity, and stroke the sides of a long wig that reaches down to his middle; you see some of them running their hands into their pockets, as far as ever they can thrust them, and others looking on a piece of paper that has nothing written on it.

Abest facundis gratia dictis.—*Ovid.*
Eloquent words a graceful manner want.

A PANEGYRICAL EPIGRAM.—

The Lawyer's house, if I have rightly read,
Is built upon the fool's or madman's head.

PEACEABLE LAWYERS—Are men who live in their habitations, eating once a day, and dancing once a year for the honour of their respective societies.—(*Dugdale's Origines Judiciales*, folio, 1666).

LORD CAMPBELL'S BLUNDERS.—Lord Campbell has followed the extraordinary mistake in Oldmixon's "Lives of the Lord Chancellors," 1708, in calling Arfastus, Bishop of Helonstadt, in Germany; although, the only authority his Lordship cites, expressly describes him as Bishop of Thetford.—*Foss.*

WILL OF WILLIAM HALL, SERGEANT-AT-LAW.—I give to my cousin, Hampny Hall, 300*l.*, and to that vile wicked wretch, Samuel Hall, his nephew—who I admitted of the Temple, many years since, but he sold his gown, and in seven

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years I could never get him to church but once; and twice he assaulted me, and the one time he had certainly killed me, if by God's providence I had not by a maid-servant been thrown beside a great fire, when he was just rushing me backwards into it—the sum of ten shillings, to be paid to him every Monday upon request thereof, and five shillings the first day of every Term, during his life only, though starving is a death too moderate for that wicked, sinful life he has lived, and I hope and humbly pray to my God to forgive him.

Proved in the Prerogative Court of Canterbury, Septr. 9, 1721.

A PROPHECY.—An old attorney told me, a little before his death, that he had been reckoned a very great rascal, and believed he was so, for he had done many roguish and infamous things in his profession. "But," adds he, "by what I can observe of the rising generation, the time may come, and you may live to see it, when I shall be accounted a very honest man in comparison with those attorneys who are to succeed me."—*Nash.*

COMMON LAWYERS.—

More nice and subtile than those wire-drawers
Of equity and justice, common lawyers;
Who never end, but always prune a suit
To make it bear the greater store of fruit.
As labouring men their hands, criers their lungs,
Porters their backs, lawyers hire out their tongues.
A tongue to mire and gain accustom'd long,
Grows quite insensible to right or wrong.
The humourist that would have a trial,
With one that did not look upon his dial,
And sued him but for telling of his clock,
And saying, 'twas too fast or slow, it struck.

Hudibras.

PRUNING.—A lawyer never ends a suit, but prunes it, that it may grow the faster, and yield a greater increase of strife.

A LAWYER AND A BEAR WARD.—The one parts his clients, and keeps them at bay by writ of error and demurrer, as the latter does the dogs and the bear, by interposing his staff or stave, and holding the dogs by the tails.

So Lawyers, lest the bear Defendant,
And Plaintiff dog, should make an end on't,
Do stave and tail with writs of error,
Reverse of Judgement, and demurrer.

Hudibras.

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A LAWYER ON EVIDENCE.—"It is easy to see that that man has never served on a jury before," remarked an old lawyer in court to a friend. "Why?" his unprofessional friend inquired. "Because he pays such close attention to the evidence," was the reply.

A WOMAN'S WILL.—"Did any man ever yet make anything by opposing a woman's will?" exclaimed a miserable husband. "Yes, I have made a good deal of that sort of thing," answered his brother Richard. "But, Dick," responded the other, "you're a lawyer, and the women whose wills you oppose are always dead."

THE BAR.—As a calling, is, perhaps, the most difficult, and, after the first glow of enthusiasm has gone by, the most repelling. To say nothing of the violence of the competition, which alone renders it the most hazardous of professions, the intellectual drudgery that it involves, is such as few have the capacity, or without the strongest incitements, the patience to endure. To an active and philosophic mind, the mere act of reasoning, the simple perception of relations, whatever the subject-matter may be, is an exercise in which a mind so constituted may delight, but to such a one the study of the law has little to offer. If the body of English law be scientific, it is a long time a secret to the student; it has immutable truths, few master-maxims, and few regular series of necessary and nicely adapted inferences.

SPANISH.—"Like the judges of Gallicia, who for half a dozen chickens will dispense with half a dozen penal statutes." A similar dole is said to have been formerly very efficacious with our country justices of the peace. Another Spanish proverb says, "To the judges of Gallicia go with feet in hand," alluding to a present of poultry, usually held by the legs.

LORD BROUGHAM—In the House of Lords, said he remembered a case wherein Lord Eldon referred it in succession to three chief Courts below, to decide what a particular document was.

The Court of King's Bench decided it was a lease in fee; the Common Pleas, that it was a lease in tail; the Exchequer, that it was a lease for years. Whereupon Lord Eldon, when it came back to him, decided for himself that it was no lease at all.

NECESSITY HATH NO LAWS.—

Florus did beat his cook, and 'gan to swear,
Because his meat was rotten roasted there.

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Peace, good sir (quoth the cook) need hath no law,
'Tis rotten roasted, 'cause 'twas rotten raw.

RODS AND LAW.—The fourteenth Law of the Frisons, ordered that the discovery of murders should be made by means of rods in churches. This was called the Lot of Rods, or Tan-teen, the Rod of Rods.

The vagaries of the Rod of Moses, the Law-giver, are familiar to every school-board child. Rabdomancy was very popular among the Greeks; Cicero alludes to it in his "De Officiis," lib. i., cap. 44. The Sieur le Royer, a lawyer, of Rouen, in 1674, published his "Traité du Bâton Universel," in which he gives an account of a trial with the rod in the presence of Father Jean François, for the discovery of blasphemy.

Le Royer denies to it the power of picking out criminals, which had been popularly attributed to it, and, unhesitatingly claimed for it by Debrio, in his "Disquisitio Magica."

A LEGAL REPRIEVE.—A Jew, who was condemned to be hanged, was brought to the gallows, and was just on the point of being turned off, when a reprieve arrived.

Moses was informed of this, and it was expected he would instantly have quitted the cart, but he stayed to see his two fellow-prisoners hung; and being asked why he did not go about his business, he said, "He waited to see if he could bargain with Master Ketch for the two shentlemen's clo'."

LEGAL PERSECUTION.—St. Catherine is said to have been the daughter of one Costa, a King of Cyprus, who, in the time of Maxentius, converted many unto Christianity, contrary to Law.

Before she was beheaded for this offence, she was, for some time, tortured on a wheel—whence comes the Catherine-wheel to be used for a sign in this very Kingdom, to this very day.

CRUMBS FALLEN FROM KING JAMES' TABLE.—The way to make vices less than they are, is to make punishments for them greater than they deserve, for so the laws grow to contempt and to be neglected.

TIME is the essence of many laws, so that a King may do well at divers times, both in making and abrogating the same law, the present occasion is the reason of the law.

ALL governments in their constitutions, and laws tend to monarchy, and wherever the better sort of people bear

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rule, there is always some one that resembles a King among them.

GOOD laws must be made by a few men and reasonable, and not by a multitude.

THAT a thief shall be punished is God's law; but after what manner, is left to the Government of every State.

I WILL never offer to bring a new law upon the people without the people's consent, but only like a good phisitian, tell them what is a-miss; and after, if they will not concur to amend it, yet I have discharged my part.

NATURAL LAW—Is written in men's hearts,—thus (*Tully de Legibus*) when the well-known Roman orator spoke in one of his most beautiful philosophic works, of the wicked action of the son of Tarquin, he said, "That, indeed, there was no written law among the Romans against such outrages, but that the action of the young Tarquin was, nevertheless, flagitious on this score, because there was an eternal and immutable law against these enormities; and this eternal law, or law in force from all times (said he), is reason itself, which we have from nature, a law which does not begin to have the force and authority of a law when it comes to be written, but has it originally."

SIR JOHN MILLICENT—Was a lawyer, addicted to many vices, especially wine. He used to say there was nothing for it, but to drink himself down to the capacity of his colleagues.

SWEARING BY LAW.—The ancient Phœnicians, in taking a legal oath, held a lamb in one hand, and a stone in the other, to intimate their wishes, that God might strike them dead, as they were ready to do to the lamb, if they swore not according to truth. The old Romans, upon a like occasion, took a pastern, and cast it from them, imprecating to themselves, that God might cast them away, if there was any falsity in what they swore. The Jews, in taking or administering an oath (*Jer. xxxiv.*. 18), slew a calf, and cut it asunder, and the person that was to swear walked through the dissected parts, to convince the spectators that he wished God, in like manner, might cut him asunder, in case he falsified his oath. Lifting up the hands to heaven, as an act of swearing, is found practised among the angels themselves (*Dan. xii. 7, and Rev. x.* 5). Instances of this legal absurdity might be quoted *ad infinitum*—but abuses, obsolete usages,

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ridiculous practices fills the lawyers' pockets, which is a sufficient reason for any tomfoolery in the law.

LORD STOWELL—Who was one of the meanest of men, from a pecuniary point of view, dined one day at the royal table, when George IV. noticed the extraordinary quantity of port his lordship helped himself to. The King afterwards remarked to Lord Eldon (Lord Stowell's brother) that the latter seemed to be fond of port, and to be able to take a good deal of it with apparent impunity. "Oh, yes," replied Eldon, "he'll take any given quantity."

VERDICT AGAINST EVIDENCE.—It has been well observed by a civilian writer, that "we are very apt to mistake the foulness of a crime for certainty of evidence against the individual accused of it, or in proportion as we are impressed with its enormity, the less nice we become in distinguishing the offender.

DEFINITION OF THE WORD LAW.—A philosophical definition of the term "Law," as applied merely to the universe, is that it may be divided into three kinds, viz.:—The Law of Nature, the Revealed Law, and the Law of Nations. Morals have nothing to do with law.

A SILENT JUDGE.—Oddly enough, for a lawyer, Sir W. Grant, Master of the Rolls, was a very silent man; he was the most patient of judges. The story is well known of his hearing an elaborate and lengthened argument, for two days, on the meaning of an Act of Parliament, and when the counsel finished, simply saying, "Gentlemen, the Act on which the pleading has been founded is repealed." On one of his visits to Banff, he rode out a few miles into the country, accompanied by some friends. The only observation that escaped from him was in passing a field of peas,—

"Very fine peas."

Next day he rode out with the same friends, and was equally silent; but, on passing the same spot, he muttered,—

"And very finely podded too!"

THE TERRIBLE STATUTE—22 Henry VIII. c. 10.—commanded all gipsies to leave the country in sixteen days from the date thereof, and forbade any person bringing them back to England. Sir Thomas Overbury thus alludes to it in his "Character of the Tinker."

"The companion of his travels is some foule-burnt queane, that since the terrible statute recanted gypsisme, and is turned pedleresse."

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A CIVILIAN'S OPINION.—To see so many lawyers, advocates, so many tribunals, so little justice; so many magistrates, so little care of common good; so many laws, yet never more disorders; "tribunal litium segetem," the tribunal a labyrinth, so many thousand suits in one Court, sometimes so violently followed? To see "injustissimum sæpe juri præsidentem, impium religioni, imperitissimum eruditioni, otiosissimum labori, monstrosum humanitati." To see a lamb executed, a wolf pronounce sentence, and fur sit on the bench, the judge severely punish others, and do worse himself, "eundem furtum facere et punire, rapinam plectere, quam sit ipse raptor?" Laws altered, misconstrued, interpreted *pro.* and *con.*, or otherwise affected as a nose of wax, good to-day, none to-morrow. Sentence prolonged, changed, "ad arbitrium judicis," still the same case, one thrust out of his inheritance, another falsely put in by favour, false forged deeds or wills. "Incisæ leges negliguntur," laws are made and not kept, or if put in execution, they be some silly ones that are punished.

FEMALE PLEADING.—The Athenians had a law that no woman should be permitted to plead her own cause. It had its origin from a case in which the celebrated Phryne was concerned.

Afraid of trusting her defence to any hired advocate, she appeared in her own behalf, and such is said to have been the enchanting effect of her personal beauty on the judges that contrary to evidence they pronounced her guiltless.

DEFAMATION.—Alfred of England had a law against slander to this effect: "Qui falsi rumoris in vulgus sparsi auctor est lingua præciditor."

LORD ARMADALE—One of the Scotch Judges, had a son, who at the age of eleven or twelve, rose to the rank of a Major. One morning his mother, hearing a noise in the nursery, rang to know the cause of it. "It is only," said the servant, "the major greeting for his porridge."

THE BLACK ASSIZE.—The assize held at Oxford in the year 1577, went by this name. It was a dreadful instance of the deadly effects of the gaol fever. The judges, jury, witnesses, nay, in fact every person except the prisoners, women, and children in court were killed by a foul air, which at first was thought to have arisen out of the bowels of the earth, but afterwards proved to have come from the prisoners taken out of a noisome gaol, and they alone, being subject

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to the inhaling foul air, were not injured by it. In the year 1730, the Lord Chief Baron Pengelly, with several of his officers and servants; Sir James Sheppard, Sergeant-at-Law, and John Pigot, Esq., High Sheriff for Somersetshire, died at Blandford, on the Western Circuit of the Lent Assize, from the infected stench brought with the prisoners from Ilchester gaol to their trials at Taunton, in which town the infection afterwards spread, and carried off some hundred persons.

In 1754 and 1755, this distemper prevailed in Newgate to a degree which carried off more than one-fifth of the prisoners.

OLD SCOTCH LAW.—By it it was decreed, "if a murderer should be taken with the blood of the murdered person on his clothes, he should be prosecuted in the Sheriff's Court, and executed within three days after the fact."

The prisoner was always chained down to the floor at night.

AN ASSAULT.—A lawyer, who was pleading in an action for battery, told the court that the defendant had beaten his client with a certain wooden implement called an iron pestle.

PUBLIUS SYRUS.—"The servitude is miserable in that country in which the law is vague and unknown. In every good government the laws should be precisely defined and generally promulgated."

A VAIN LORD PROVOST.—Lord Provost Coulter, of Edinburgh, who died during his tenure of office, and whose remains were honoured by a public funeral in 1812, was a plain and illiterate, but very vain man. A person in the street once inquired of him the rent of a certain house opposite.

"How do you think I should know that?" said the Provost. "Oh, sir," was the reply, "I thought, from the manner in which you were walking, that the whole of Edinburgh belonged to you!"

This, instead of offending the civic dignitary, rather pleased him.

THE LAWS OF SOLON—Were written in the Βοῦσφηδον character, but the tables on which they were written have been long since lost, and little remains of this mixed Ionic and Æolic writing. The oldest writing of this sort known is the famous Sigean Inscription, engraved upon a block of marble, which was placed before the Church at Sigeum. It might have

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been engraved and erected about the year before Christ 560; and not many years after the publishing of the Laws of Solon. There appear in it no other than the original Cadmean letters, with three of Palamedes, viz., Φ, Θ, X, and the old Ionic Aspirate H; so that, no doubt, it was written before the Letters of Simonides were known or used, which he invented about the year before Christ 530.

LEGISLATION OF LYCURGUS.—Plutarch carries it to the year before Christ 900, or earlier; for he says that the Laws of Lycurgus had continued to be used without alteration for 500 years, to the reign of Agis, who began to reign in the year before Christ 427. But he reckoned to that year of Agis, when he restored the use of gold and silver money, which was contrary to the Laws of Lycurgus.

If it was the last year of Agis, who reigned twenty-seven years, then it was in the year 400 before the Christian Era; and the legislation of Lycurgus is placed ten or twelve years too early by his own reckoning in other places. For he says (*Vit. Lycurg.* p. 58), the Ephori were set up with the consent of King Theopompus (of whom Elatus was the first), 130 years after Lycurgus. This was in the year before Christ 760; by which account Lycurgus gave his laws in the year before Christ 890. This agrees exactly with what Cicero (*Orat. pro L. Flac. c.* 26), writes to the effect, that the Lacedæmonians lived under their own laws only, which had not been altered for more than 700 years, i.e. before Philopæmon abrogated them, and substituted those of the Achæi in their place. So this places the Laws of Lycurgus a little before the year 888 before Christ; for Philopæmon abrogated them in the year before Christ 188.

HORNS—Were esteemed emblems of law, power, and sovereignty amongst the Eastern nations; and especially the horns of a bull, who is the head of tame creatures. Isis had the same emblem on her statue, who was amongst the Egyptians the same that Astarte was amongst the Phœnicians and Syrians—both were instituted by the Cabiri.

LORD BRAXFIELD.—The Scotch Judge, once said to an eloquent prisoner at the Bar, "You're a vera clever chiel, mon; but I'm thinking ye wad be nane the waur o' a hangin'.

OF THE LAWS OF ENGLAND.—The unwritten law according to Sir William Jones may be traced beyond the foundation of Rome; it was afterwards blended with the laws of the West Saxons.

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The unwritten law was succeeded by the Danish Law ; Ina framed a Code of Laws ; Alfred, when he divided the land into shires and hundreds, made some laws which were esteemed ; those of Ethelstan were equally, with reference to the times, esteemed. William the Conqueror made several laws.

The Civil Law, which has for some centuries been practised in England, is chiefly founded on a code which was formed in the reign of Justitian. The Canon (derived from the Greek) Law is founded partly on the decrees of the Councils, and partly on the opinions of the Fathers.

The Records are memorials on parchment rolls of the proceedings in a Court of Justice. It has been supposed that Prynne compiled his four volumes out of the records kept in Julius Cæsar's Tower. The Records have generally been kept in the Rolls Chapel, and frequently by a special writ, removed to the Tower.

SCOTCH LAW TERMS.—When a Judge wishes to be peremptory in an order, he ordains parties to "condescend ;" when he intends to be mild, he recommends them "to lose their pleas." When anybody thinks proper to devise his estates for the benefit of the poor, he is considered by the law of Scotland "to mortify them." Witnesses are brought into Court upon a "diligence," and before they can be examined they must be "purged." If a man loses his deceased elder brother's estate, it is called a "conquest!" The elegant phrase of "blasting you at the horn." "consigning you to the Fisc," are almost equal to the barbarisms of Westminster Hall ; for instance, "docking an entail," "seized in fee," "villains in gross," &c., &c.

LORD ALVANLEY—Notorious for his bad temper and altercations with the Bar, was trying upon one occasion a case, in which an Act of Parliament was in question ; the learned counsel quoted a section of it, but was interrupted by Lord Alvanley's saying that there was no such clause.

"Well but, my lord, here it is," said the counsel.

"Never mind, I tell you I have looked ; it is not there," retorted the judge.

"I beg your lordship's pardon, but here it is in the book ; read it."

The learned judge at length took the book, and having read it, exclaimed, "Oh, true, here it is sure enough, as sure as God is in Glocsester!"

WILLIAM THE CONQUEROR.—The manner in which

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William the Conqueror was crowned, appears to have been strictly legal, and in a civil sense extremely satisfactory. He was crowned by Aldred, Bishop of York, with the unanimous consent of the people; he accepted the Code of Edward the Confessor. He proposed to preserve "peace, security, concord, judgment, law, and justice among them." He appealed to God, Angels, and the people as witnesses of his vows.

The words of this Charter are very remarkable. "Dixi pacem et securitatem, et concordiam, judicium, et justiciam inter Anglos et Normannos, Francos et Britanes, Walliæ et Cornubiæ, Pictos et Scotos, Albaniæ similiter inter et insulanos, provincias et patrias quæ pertinent ad coronam et dignitatem, defensionem et observationem et honorem regni nostri et inter omnes nobis subjectos per universam monarchiam regni Britanniæ firmiter et inviolabiliter observari." It is curious to note that after the services this great man rendered the English, he adopted the appellation in his deeds and patents of "Willielmus Bastardus," continually.

LAW, CUSTOM, WHIM, FASHION, AND CAPRICE—Have been pretty nearly as arbitrary in our universities as the rest of the world. For instance when John Goslin was Vice-Chancellor, he made it, "a heavy fine to appear in Boots," another Vice-Chancellor issued his mandate for all members in statu pupillari, to appear in "Yellow Stockings." The following singular order, as to dress and the excess thereof, was issued by the great statesman Cecil, Lord Burleigh, ancestor of as great Lord Salisbury, as Chancellor of the University of Cambridge, in the days of Elizabeth; it is preserved in the Liber Niger, or Black-book extant in the Cambridge University Library. The paper is dated, "from my house in Strand, this seventhe of May, 1588," and runs thus:—1. "That no hat be worne of anie graduate or scoller within the said universitie (except it shall be when he shall journey owte of the towne, or excepte in the time of his sicknesse). All graduates were to weare square caps of clothe; and schollers, not graduates, round cloth caps, saving that it may be lawful for the sonnes of noblemen, or the sonnes and heirs of Knights, to weare round caps of velvet, but no hats."

THE TERM LAW—It is well known, comes from a Saxon word, (Sax. Lag, Lat. Lex, from Lego or Legendo, choosing, or rather à Ligando, binding). The first constituent of a law

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is to be good; the second is to be clear; if laws be in their nature bad, it is very difficult not to make them, in some instances, subservient merely to the dictates of reason, and consequently to depart from their letter; if they be intricate, it is almost impossible to avoid judging according to circumstances, which requires a considerable degree of ability and integrity; for this reason the obscurities in the common law of England, to which successive acts of Parliament, &c., have given rise, are much to be lamented, not only because they have tended to introduce cavils among pleaders, and discontent among clients, but also because they have prevented the study of the law from being so universal as it ought to be, in a free and assumed enlightened country.

LENGTH OF LAW-SUITS.—It is said of Hippocrates, the physician, that he abbreviated the cure of all diseases to the utmost of his power; a good pattern to lawyers to despatch their client's case with expedition, not to spin out time in the suit, donec evacuata marsupia, till all the money is gone.

In the Jewish Commonwealth, judgment-seats were placed on the gates of the cities (*Ruth iv.* 2), intimating quick despatch, that causes should not depend so long as to become aged and grey-headed in courts, lest they force the client to say to his lawyer as Balaam's ass said to his master, "Am I not thine ass, which thou hast ridden upon, since the first time till this present day?" (*Num. xxii.* 30).

LITIGATION.—The spirit of litigation was, perhaps, never carried to a greater extent than in the cause between two eminent potters of Handley Green, Staffordshire, for a sum of two pounds nine shillings and one penny. After being in Chancery eleven years, from 1749 to 1760, it was put an end to by John Morton and Randle Wilbraham, Esqrs., to whom it was referred, when they determined that the complainant filed his bill without any cause, and that he was indebted to the defendant at the same time the sum for which he had brought the action. This they awarded him to pay, with a thousand guineas costs.

A PARISH TOBACCO-BOX IN CHANCERY.—After three long years of litigation, upon the 5th of March, 1796, this important cause, "The past Overseers Society of the joint Parishes of St. Margaret, and St. John the Evangelist *v.* Read, Handley, and Byfield" was decided. Loughborough, Lord Chancellor, decreed, "*That* the Tobacco-box and cases should be restored to the Plaintiffs, *that* the Defendants should pay the costs of the suit in that Court, and *that* the Defendant Read should

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pay the Plaintiffs their costs at Law," the total amount of which was 300*l.*; extra costs were, however, incurred, amounting to 76*l.* 13*s.* 11*d.* This was cheerfully raised by subscription. This common horn tobacco-box originally cost four pence, and was presented to the Society by Mr. Monk.

GUIDO—Received no fixed price for his pictures: the payment he received for them he always regarded as "honorarium quiddam," an expression applied by the Roman Law to what its lawyers received for their fees.

ACCOUNT OF A CHANCERY BILL.—I called on the solicitor whom I had employed in the suit lately commenced against me in Chancery. And here I first saw that foul monster, a Chancery Bill. A scroll it was of forty-two pages in large folio, to tell a story which need not have taken up forty lines, and stuffed with such stupid, senseless, improbable lies (many of them too, quite foreign to the question) as I believe would have cost the compiler his life in any heathen Court either of Greece, or of Rome. And this is equity in a Christian land. This is the English method of redressing grievances.—*John Wesley.*

LAWYERS AND BREVITY.—When Pompey was preparing an inscription for the front of a temple which he had built to Venus the conqueress, containing as usual, the recital of all his titles, in drawing it up, a doubt arose concerning the manner of expressing his third Consulship. Pompey left it to Cicero to decide the matter; but, lawyer-like, he was unwilling to give judgment on either side when great authorities might be offended. Varro, the lawyer, then advised Pompey to abbreviate the word in question, and order "Tert." only to be inscribed; which fully declared the thing without determining the dispute.

THE SOLDIER'S WILL—Was first introduced by Julius Cæsar. The peculiarity of soldiers' wills was found in the fact that they were exempted from the requirement of every sort of formality. Soldiers, as also sailors of the fleet, might make their will on their shield, or their helmet, in the dust with their sword, or with their blood.

A SENSIBLE WILL.—W. Shackwell, Governor of Plymouth, Oct. 12, 1782. "I desire that my body may be kept as long as it may not be offensive, and that one of my toes or fingers may be cut off to secure a certainty of my being dead.

"I also make this farther request to my dear wife, that as

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she has been troubled with one old fool, she will not think of marrying a second."

LAW PLEASANTRIES.—Wills and Testaments are an endless source of legal fun. In *Townley* v. *Bedwell,* Lord Eldon held "that the trust of real and personal estate by will for the purpose of establishing a botanical garden was void, for a rather singular reason, as appears in the report, viz., "because the testator expressed a wish that, he trusted it would be a public benefit."

Isaac v. *Gompertz.* Lord Thurlow here declared an annuity given for the support and maintenance of the Jewish Synagogue in Magpie Alley to be void. A similar fate was awarded to a bequest for the dissemination of Baxter's Call to the Unconverted. Swinborne mentions a bequest of a legacy to a person on condition of his drinking up all the water in the sea. After much learned discussion it was held, that, as this condition "could not be performed," it was void.

AN IRISH JURY.—Daniel O'Connell was at one time defending a man accused of murder at Clonmell. The circumstantial evidence was so strong against the prisoner that the jury had already determined upon their verdict of guilty, when the man supposed to be murdered was brought into court, alive and unhurt. The jury were desired to return their verdict at once, and they did so, but it was one of "Guilty." "What does this mean? If the man has not been murdered, how can the prisoner be guilty?" "Please, yer Honour," said the foreman, "he's guilty. He stole my bay mare three years ago."

THE SMALLEST SUIT ON RECORD.—Was recently tried in Scotland, for the stupendous sum of half a penny. The plaintiff was carried in the defendants' cars beyond his destination, and compelled to pay the half-penny as fare to the station.

He recovered judgment, and compelled the company to refund the money, with costs.

LAW ASLEEP.—An old Justice was fast asleep upon the bench, when a poor malefactor was judged to be hanged; at which word the Justice suddenly awaked, and said to the thief: "My friend, I pray let this be a warning to you; look you do so no more, for we do not shew every man the like favour."

THE FEE-GATHERING SYSTEM.—Under this system, every mercenary lawyer—every lawyer without exception—

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has an interest, as unquestionably, though not as uniformly, opposite to the general interest, as that which forms the bond of union in communities of thieves or smugglers.

Under that system, every lawyer, without exception, the whole fraternity together, with the judges at their head, have a particular interest in common with the interests of malefactors and wrong-doers of every description, not excepting thieves and smugglers.

It is their interest that law-suits,—understand those and those alone which are pregnant with fees,—law-suits by whatsoever name distinguished, actions, or prosecutions, may abound to the utmost pitch.

CIVILITY MONEY.—A reward claimed by bailiffs for executing their legal powers with a certain amount of decency.

EXECUTION OF A JEW.—At Newgate, 21st November, 1821, Cabelia was hung by the Christian law. The Sheriff gave particular directions that no part of his body, not even his toes, should be touched by the executioner, for which delicate attention, the Sheriff received the kind thanks of the victim's friends; the body was wrapped in a linen sheet, and deposited in the coffin. The ropes and cords that pinioned his arms were placed in the grave under the coffin. About the same time there was an execution in Aberdeen, of an unhappy culprit who had his shroud put on before his arms were pinioned, and in that state was taken out to the place of suffering.

HUMANITY AMONG LAWYERS.—Of all descriptions of men (hangmen, perhaps excepted, butchers certainly not excepted) the lawyer, and, among the lawyers of all nations, the English lawyer, is he on whom,—judging from situation, from habitual exposure to the action of opposite interests, or from historical experience,—the principle of humanity may with reason be regarded as acting with the smallest degree of force.

For, under the existing mode of remuneration (viz., by fees), there is no other class of men whose prosperity rises and falls in so exact a proportion with those miseries of mankind which it is in their power to increase or decrease; nor any set of men, who have it in their power, and so determinedly and inexorably in their will, to preserve those miseries from decrease.—*Jeremy Bentham.*

SENTENCE OF LORD CHIEF JUSTICE GLYNN.—Major Strangeways (1639), was ordered by this Judge, "to be put

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into a mean house, stopped from any light, and to be laid upon his back, with his body bare; that his arms be stretched forth with a cord, the one to the one side, the other to the other side of the prison, and that upon his body shall be laid so much iron and stone as he can bare, and no more; and the first day he shall have three morsels of barley-bread, and the next shall he drink of the water in the next channel to the prison, but no spring-water, or fountain-water." At the signal, "Lord Jesus, receive my soul!" the weights were put on; but his friends standing by, seeing the weights were too light for sudden execution, added their burdens, to disburden him of his pain. He died of pressing in about eight or ten minutes.

HONOUR *v.* LAW.—After the Battle of Culloden, in the year 1745, a reward of 30,000*l.* was offered to any one who would discover or deliver up the Young Pretender. He had taken refuge with the Kennedies, two common thieves, who protected him with the greatest fidelity, robbed for his support, and often went in disguise to Inverness to purchase provisions for him. A considerable time afterwards, one of these men, who had resisted the temptation of 30,000*l.* from regard to his honour, was hanged for stealing a cow of the value of thirty shillings.—*Pennant.*

DIES FATALIS.—Execution is the end, as it was historically the beginning of law, and this is nowhere more signally illustrated than in the old legal action of Pignoris capio, which at first was a mere substitute for legal proceedings, and, a thousand years later, the culmination of them.

A MAXIM.—"De minimis non curat lex," i.e. "The law does not trouble itself about trifles."

THE LAST JUDGMENT.—

"Cogitate, divites, qui vel quales estis,
Quid in hoc judicio facere potestis.
Tunc non erit aliquis locus hic digestis,
Idem erit Deus hic Judex, autor, testis;
Judicabit judices Judex generalis;
Nil ibi proderit dignitas Regalis.
Apud nostros judices jura subvertuntur,
Et qui legem faciunt lege non utuntur."

"Bethink you, O ye rich men, what answer you must give,
When the Judge is come to order who shall die or live.
The edict then is silent, the digest is unknown,
God is both Judge and Jury, and Advocate alone:

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Before the Universal Judge all other judges tremble ;
The royal prerogative itself, its glory will dissemble.
For here the judge who tries the right is he who overturns it,
And he who did enact the law the very one who spurns it."
Walter Mapezius.

BROWBEATING REBUKED.—At an Assize in Ireland, a counsel had the effrontery to ask a most respectable parent whether he had not been consenting to the seduction of his own daughter. "Fellow," replied the witness, "a question so dishonourable your native feeling might not have allowed you to put, but I perceive that ten guineas endorsed upon your brief have eradicated the principles of the gentleman, and the true dignity of the man ; that they have also not only stifled or extinguished what feeling you once might have possessed, but excited you basely to violate those of an aged, and already agonized parent. I might appeal to all present, and ask which is the greater villain, the man who commits, or he who for a few paltry guineas, would excuse or palliate so great a crime, and shield from legal vengeance so great a criminal as he who now stands before the crowded court?" The question was not repeated.

THE ENGLISH LAWYER.—Unless, in this part of the race, the exertions of the Scotch lawyer should be found to afford, in some respects, an exception, all competitors of all other nations have been left far behind. So far as concerns the mere heaping of words upon words, his exertions or the fruit of them, may, perhaps, have been equalled or exceeded ; but in the practice of what is called *fiction*, legal fiction, as well as for the profit of the judge—he has found an implement, in the use of which he has, in a manner, stood alone.

LAWGIVERS—Instituted certain holidays, that the people might be compelled by law to merriment, interposing this as a necessary temperament to their labours.—*Sen. De Tranquill. Animi.*

LEGAL WARMTH. — One said a good client was like a study-gown, that sits in the cold himself to keep his lawyer warm.

AN AXIOM.—There never was a good law made that was not badly executed.—*Sir Josiah Child.*

LAW-WRITING.—It was asked the reason why lawyers' clerks writ such wide lines. Another answered it was done

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to keep the peace, for if the plaintiff should be in one line, and the defendant in the next line, the lines being too near together, they might perhaps fall together by the ears.

IDLENESS AND THE LAW.—Amasis established a law in Egypt, that every Egyptian should annually declare before the governor of the Province, by what means he maintained himself, and all those who did not appear, or who could not prove that they had some lawful livelihood, were punished by death. This law, Solon introduced into Athens, where it was inviolably preserved as a most just and equitable provision.—*Herod.*

THURLOW AND LORD ALVANLEY.—One day, the latter finding himself seriously unwell, sent his respects to the Chancellor with an expression of regret, that severe indisposition would prevent his sitting that day at the Rolls. "What ails him?" asked Thurlow, in a loud voice, of the bearer of the message. "If you please, my lord, he is laid up with dysentery." "D—— my ——!" exclaimed Thurlow, "let him take an Act of Parliament and swallow that—he'll find nothing so binding!"

THE PEASANT AND THE LAWYER.—The peasant wants only to be taught, the lawyer to be untaught: an operation painful enough, even to ordinary pride; but to pride exalted and hardened by power, altogether unendurable.—*Gilbert.*

A LADY AND A LAW-SUIT.—A lady, having been ten years in suit of law, had a trial at last, where the judgment went on her side; whereupon she would presently express her joy by inviting some of her nearest tenants and neighbours to supper; amongst whom was a plain, down-right county yeoman; to whom the lady said: "Tenant, I think I have tickled my adversary now though it were long first; I trow he will make no hogs of his medling with me." The honest yeoman replied: "Truly, madam, I did even think what it would come to at last: for I knew when he first medled with your ladyship that he had a wrong sow by the ear."

THE LAWYER'S ARGUMENT AGAINST ALL REFORMS.—"That in so complicated and intricate a system of jurisprudence as the English, no one can foretell what the consequences of the slightest innovation may be."

THE MAGISTRATE AND THE CHEAT.—A Justice of Peace sending a cheat to punishment, the cheater, bewailing his hard fate, wished he could as easily learn to commit, as the

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Justice could discover knavery. "Why, that you may," said the Justice. "Never," reply'd the knave, "without I be put in authority."

DRUNKEN LAWYERS.—Lord Newton was one of the profoundest drunkards of his day. He had a body of immense breadth, width, and depth, which could hold with ease six bottles of port.

It is related of a certain Lord of Session (who died within the last twelve years) that going home after one of his Saturday night's debauches, he stumbled among the sooty man's bags, at the end of the old Town guard-house, in the High street, and being there overtaken with sleep, did not come to his senses till next forenoon, when the sound of the iron Kirk-bell, rung at ten o'clock to denote the church-going hour, roused him from his dirty lair in the full view of persons passing along the street.

DECAPITATION.—In 1376, Jack Cade's men beheaded all the lawyers they could find.

DRINKING AT THE BAR.—At the Circuit dinners at Stirling, the company having drunk their fill, fell insensible under the table—escape by the door was not permitted; so in order to avoid drinking to excess, the only means to adopt was to sham drunk and roll under the table; while in that position, a small pair of hands was immediately felt at the throat. On asking what it was, a voice would reply, "Sir, I'm the lad that's to loose the neckcloths."

This speaks volumes for the habits of the times, when at Circuit dinners a servant was specially told off to "loose neckcloths" to prevent apoplexy.—*Cockburn.*

STATUTES AT LARGE.—

Fast Days.—Whosoever shall, by preaching, teaching, writing, or open speech notify that eating of fish, or forbearing of flesh, is of any necessity for saving the soul of man, shall be punished as spreaders of false news are and ought to be (5 *Eliz. cap.* 5, *sec.* 40).

Gipseys.—All persons which shall be found in company of vagabonds calling themselves Egyptians, and so shall continue for the space of one month, shall be judged as felons, and suffer the paine of death (5 *Eliz. cap.* 20, *sec.* 3).

Libels.—If any person speak any false and slanderous news and tales against the Queen, he shall have both his ears cut off. And if any person shall print or set forth any book containing any matter to the defamation of the Queen, or by

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prophesying, conjuration, &c., seek to know how long she shall live, he shall be adjudged a felon (23 *Eliz. cap.* 2).

Pins.—No person shall put to sale any pins, but only such as shall be double-headed, and have the heads soldered fast to the shank and well smoothed ; the shank well shaven ; the point well and round filed, canted, and sharpened (34 *and* 35 *Henry VIII. cap.* 6).

Woollen Caps.—All persons above the age of seven years shall wear upon sabbaths and holidays, upon their heads, a cap of wool, knit, thicked, and dressed in England, upon pain of forfeit for every day not wearing, three shillings and fourpence (13 *Eliz. cap.* 19).

ON THE TWO FIGURES OF A HORSE AND LAMB OVER THE INNER TEMPLE GATE.—

As by the Templar's holds you go,
The horse and lamb display'd,
In emblematic figures, show
The merits of their trade,
That clients may infer, from thence,
How just is their profession,
The lamb sets forth their innocence,
The horse their expedition.
" Oh ! happy Britons ! happy isle ! "
Let foreign nations say,
" Where you get justice without guile,
And law without delay."

Answer.

Deluded men, these holds forego,
Nor trust such cunning elves ;
These artful emblems tend to show
Their clients, not themselves.
'Tis all a trick : these are but shams
By which they mean to cheat you ;
For have a care, you are the lambs,
And they the wolves that eat you—
Nor let the thought of no " delay "
To these their courts misguide you ;
You are the showy horse, and they
The jockeys that will ride you.

AMERICA.—The American people are a law unto themselves. If they were not, democracy would soon end in anarchy.—*Adams.*

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EPITAPH ON SIR JOHN CALF, MAYOR OF EXETER.—

Here lyes the body of Sir John Calf,
Who was thrice Lord Mayor of this city,
Honour! Honour! Honour!

The following lines were written by a gentleman who read the above epitaph :—

O wretched Death, more subtile than a fox,
Could'st thou not let this calf become an ox?
That he might brouse amongst the briars and thorns,
And wear, among his brethren,
Horns! Horns! Horns!

THE STUDY OF THE LAW.—The labour is long, and the elements dry and uninteresting; nor was anybody ever amused, or even not disgusted at the beginning.—*Grey.*

A LAWYER'S OPINION.—All the law, written and unwritten, is on your side. The intention and not the act constitutes the crime—in other words, constitutes the deed. If you call your bosom friend a fool, and intend it for an insult, it is an insult; but if you do it playfully, and meaning no insult, it is not an insult. If you discharge a pistol accidentally, and kill a man, you can go free, for you have done no murder; but if you try and murder a man, and manifestly intend to kill him, but utterly fail to do it, the law still holds that the intention constituted the crime, and you are guilty of murder. Ergo, if you had married Edwitha accidentally, and without intending to do it, you would not actually be married to her at all, because the act of marriage could not be complete without the intention. And, ergo, in the strict spirit of the law, since you deliberately intended to marry Edwitha, and didn't do it, you are married to her all the same, because, as I said before, the intention constitutes the crime.—*Mark Twain.*

PLATE.—An order was made (1776) that all persons suspected of having plate should pay a regular duty thereon. A legal notice to this effect was sent to John Wesley, who thus replied, "Sir, I have two silver spoons in London, and two at Bristol. This is all the plate I have at present; and I shall not buy any more while so many round me want bread."

THE BICAUD, OR TWO-TAILED GABBLER.—

Ὁ Νομικον,	in Greek.
Jurisperitus,	in Latin.
L'Avocato,	in Italian.
L'Avocat,	in French.
Serjeant counters	in English.

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LAW-SUITS.—If there be no jar, they can make a jar (*Camden*) out of the law itself; will find still some quirk or other, to set people at odds, and continue causes so long, lustra aliquot, I know not how many years before the cause is heard, and when 'tis judged and determined by reason of some tricks and errours, it is as fresh to begin, after twice seven years sometimes as it was at first; and so they prolong time and delay suits till they have enriched themselves, and beggared their clients.—*Gen. Mag.*, vol. for 1741, p. 34.

LAWYERS—Are a purse-milking nation, a clamourous company, gowned vultures, qui ex injuriâ vivunt, et sanguine civium, thieves and seminaries of discord; worse than any polers by the highway side, auri accipitres, auri exterebronides, pecuniarum hamiotæ, quadruplatores, Curiæ harpagones, fori tintinabula, monstra hominum, mangones; that take upon them to make the peace, but are indeed the very disturbers of our peace, a company of irreligious harpies, scraping, griping catchpoles; I mean our hungry pettifoggers, rabulas forenses.

LEGAL NOTICE AT BATH.—"Any person trespace here shall be prosticuted according to law."

THE LAST LEGAL NOISE.—On the right-hand side of the altar of St. Sepulcre's Church there is (or was) a board with a list of charitable donations and gifts containing the following item :—" 1605. Mr. Robert Dowe gave 50*l.* 0*s.* 0*d.* for ringing the greatest bell in the church on the day the condemned prisoners are executed, and for other services, for ever concerning such condemned prisoners, for which services the sexton is paid 1*l.* 6*s.* 8*d.*"

EPITAPH ON SAMUEL SMITH, ORDINARY OF NEWGATE.—

Under this stone
Lies a Reverend Drone,
To Tyburn well known;
Who preached against sin
With a terrible grin;
In which some may think that he acted but oddly,
Since he liv'd by the wicked, and not by the godly.
In time of great need,
In case he was fee'd,
He'd teach one to read
Old pot-hooks and scrawls
As ancient as Paul's:
But if no money came,
You might hang for old Sam,

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And founder'd in Psalter,
Be ty'd to a halter.
This priest was well hung,
I mean with a tongue,
And bold sons of vice
Would disarm in a trice,
And draw tears from a flint,
Or the devil was in't.
If a sinner came him nigh,
With soul black as chimney,
And had but the sense
To give him the pence
With a little church paint,
He'd make him a saint.
He undertook physick,
And cured cough and phthisick:
And in short all the ills
What we find in the bills,
With a sovereign balm,
The world calls a psalm.
Thus his Newgate birds, in the space of a moon,
Tho' they liv'd to no purpose, they dy'd to some tune
In death was his hope,
For he liv'd by a rope;
In his praise we may say,
That like a true friend
He his flock did attend
Even to the world's end:
And car'd not to start
From sledge or from cart,
Till he first saw them wear
Knots under their ear,
And merrily swing
In a well-twisted string:
But if any dy'd hard,
And left no reward,
As I told you before,
He'd inhance their old score,
And kill them again,
With his murdering pen;
Thus he kept sin in awe,
And supported the law.
But oh! Fate!
So unkind tho' I say't,

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Last week to our grief,
Grim death, that old thief,
Alas, and alack!
Had the boldness to pack
This old priest on his back,
And whither he's gone—
It is not certaintly known;
But a man may conclude,
Without being rude,
That orthodox Sam,
His flock would not sham,
And to show himself to 'em a pastor most civil,
As he led, so he follow'd them all to the d——l.

JESTING AT THE BAR.—A notorious rogue being brought to the bar, and knowing his case to be desperate, instead of pleading he took to himself the liberty of jesting, and thus said, "I charge you in the king's name to seize and take away that man (meaning the judge) in the red gown, for I go in danger of my life, because of him.—*Bacon's Apothegms.*

CONSULTATIONS.—In nine cases out of ten, people consult attornies on things which are not properly matters of law, and, consequently, derive no other advice than would be given by any persons of ordinary sense upon such affairs of business. Even upon legal matters the time of the profession would be much spared if a little more knowledge were gained by their clients.—*Hone.*

BEVERLEY.—In the Minster is an old stone seat, upon which was this inscription,—

Hæc sedes Lapidæ "Freed-Stoole" dicitur—Pacis Cathedra; ad quam refugiendo perveniens omni modom habet securitatem.

That is,

This stone seat, is called Freed-Stoole, or Chair of Peace; to which if any criminal flee, he shall have protection.

MR. MAURICE SCANLAN, ATTORNEY-AT-LAW—Was a sporting attorney. He was a good-looking, showy, vulgar, self-sufficient kind of fellow, with consummate shrewdness in all business transactions, only marred by one solitary weak point, an intense desire to be received intimately by persons of a station above his own, and to seem at least, to be the admitted guest of very fashionable society. It was not a very easy matter to know if this lord-worship of his was real, or merely affected, since certainly the profit he

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derived from the assumption was very considerable, and Mr. "M. S." attorney-at-law, was entrusted with a variety of secret-service transactions, and private affairs for the nobility, which they would never have dreamed of committing to the hands of their more recognized advisers.—*The Martins of Cro' Martin.*

DRUNKARDS IN CHANCERY.—From the "Equity Jurisdiction" of the United States, 1830, it appears that the American Chancellor has the custody of drunkards.—*J. Parkes.*

BANKRUPTCY.—"Mr. White," said a lawyer to a witness in the box, "at the time these papers were excuted you were speculating, were you not?" "Yes, sir." "You were in oil?" "I was." "And what are you now in?" "Bankruptcy," was the solemn reply.

BAILIFFS ROUTED.—

I, walking in the place where men's law suits
Are heard and pleaded, not so much as dreaming
Of any such encounter, steps me forth
Their valiant foreman with the word "I 'rest you."
I made no more ado, but laid these paws
Close on his shoulders, tumbling him to earth:
And there he sat on his posteriors
Like a baboon; and turning me about,
I strait espied the whole troop issuing on me—
I step me back and drawing my old friend here,
Made to the midst of them, and all unable
To endure the shock, all rudely fell in rout—
And down the stairs they ran in such a fury,
As meeting with a troop of lawyers there,
Mann'd by their clients (some with ten, some twenty,
Some five, some three; he that had least had one)
Upon the stairs, they bore them down afore them,
But such a rattling then there was amongst them,
Of ravished Declarations, Replications,
Rejoinders, and Petitions, all their Books
And writings torn, and trod on, and some lost,
That the poor lawyers coming to the bar
Could say naught to the matter, but instead
Were fain to rail, and talk beside their books,
Without all order. *Chapman.*

THE MEDICAL PROCEDURE.—

Lawyer.—"You have treated me for a half-a-year already, and I am no better than at the beginning."

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Physician.—"I have tried every means, and the only remedy I can recommend is, eat as many apples as possible. That will help your case."

Lawyer.—(After the lapse of eight days.) "Apropos of the apples: they have relieved me; but why did you not prescribe them at the beginning?"

Physician.—"Humph, well, you must know, we physicians have our procedure too."

EXCHANGE OF WIGS.—

'Twixt Judges and wigs one cannot determine
Whose character stands most deservedly high,
And a test which is purer, the Lawn or the Ermine,
Even Faraday might not know how to apply.

But whereas our bold bishops, if not very clever,
Are strictly attached to the moralist's creed,
Lay hold of a culprit and crush him for ever,
And deal to a doubt what should punish a Deed;

And whereas our kind Judges, like brave Cap'n Cuttle,
"Make notes of" each villain's excuses and prayers,
Invent exculpation with intellect subtile,
Till rascals split heads while their judges split hairs;

Suppose for the nonce that our judges so polished,
Turned Prelates, while Bishops as justices sat;
Then sceptics would find all their Dogmas demolished,
And scoundrels would find they were food for the Cat.

Shirley Brooks.

JUSTICE BEFORE DISCIPLINE.—Prison discipline is an object of considerable importance; but the common rights of mankind, and the common principles of justice, and humanity, and liberty, are of greater consequence even than prison discipline. Right and wrong must not be confounded, that a prison-fancying justice may bring his friend into prison and say, "Look what a spectacle of order, silence, and decorum we have established! Here no idleness, all grinding!—We produce a penny roll every second, our prison is supposed to be the best regulated in England. Cubitt is making us a new wheel of forty-felon power—look how white the flour is. All done by untried prisoners—as innocent as lambs."

ENGLISH LIQUOR-LAWS.—There has been in all governments a great deal of hard canting about the consumption of spirits. The best plan is to let people drink what they like, and wear what they like; to make no sumptuary laws either for the belly or the back. In the first place, laws against rum

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and water are made by men who can change a wet coat for a dry one whenever they choose, and who do not often work up to their knees in mud and water.

JUDGES AND AFFIDAVITS.—Formerly it was customary, on emergencies, for judges to swear affidavits at their dwelling-houses. Horace Smith being engaged to dine in Russell Square, at the next house to Mr. Justice Holroyd's, thought he might save himself trouble, so knocked a few minutes before six at the Judge's house. The Judge was at dinner, but came down without delay, swore the affidavit, and then gravely asked what was the pressing necessity that induced him to knock at that hour.

"The fact is, my lord, I am engaged to dine at the next house."

"So, sir," replied the judge, "you thought you might as well save your own dinner by spoiling mine?"

"Exactly so, my lord," replied Horace Smith.

AN ATTORNEY *v.* A CHARITY SERMON.—A miserly old solicitor, remarkable for his reluctance to contribute to public institutions, was at length prevailed upon to attend a Charity Sermon in Westminster Abbey. After the sermon, the plate was handed round the vestry; Fox and Sheridan were present. "The attorney has absolutely given his pound," said Fox. "Then," said Sheridan, "he must absolutely think he is going to die." "Poh," replied Fox, "even Judas threw away twice the money." "Yes," said Sheridan, "but how long was it before he was hanged?"

LORD ERSKINE AND HIS WIFE.—Erskine declared at a large party in which Lady E—— was present, that a "wife was only a tin canister tied to one's tail."

Lord Erskine, at woman presuming to rail,
Calls a wife a tin canister tied to one's tail,
And fair Lady Anne, while the subject he carries on,
Seems hurt at his lordship's degrading comparison.

But wherefore degrading? considered aright,
A canister's polished, and useful, and bright,
And should dirt its original purity hide,
That's the fault of the puppy to whom it is tied!

EPITAPH ON AN ATTORNEY.—

Reader! beware the path you tread,
Lest, by mischance, you wake the dead;
Nor deem my caution insincere,
For Lawyer W—— sleepeth here.

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A man to every demon known,
Who made the statutes all his own;
Conceiv'd in ruin's baneful womb,
His heart was harder than his tomb;
For forty summers at assize
He cast a film o'er reason's eyes;
But now, alas! his toil is o'er,
Who made us sweat at every pore;
For now remov'd from mortal evil,
He'll do his best to cheat the devil.

Antony Pasquin.

'"A NEW PALLICE COURT CHAUNT."—

The Judge of this year Court
Is a millitary beak,
He knows no more of Lor
Then praps he does of Greek,
And prowides hisself a deputy
Because he cannot speak.

Four Counsel in this Court—
Mis-named of Justice—sits;
These lawyers owes their places to
Their money, not their wits;
And there's six attornies under them,
As here there living gits.

These lawyers, six and four,
Was a livin' at their ease,
A sending of their writs abowt,
And droring in the Fees;
When their erose a cirkimstance
As is like to make a breeze.

It now is some monce since,
A gent both good and trew,
Possest an ansum hoss vith vich
He didn know what to do;
Peraps he did not like the oss,
Peraps he was a scru.

This gentleman his oss
At Tattersell's did lodge;
There came a wulgar oss-dealer,
This gentleman's name did fodge,
And took the oss from Tattersell's:
Wasn that a artful dodge?

Thackeray.

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CROSS AND PILE.—A jury finding a difficulty in settling the degree of their respective opinions, sought for their consciences a relief, which by men of tender consciences, was imputed to them as a crime.

The verdict, the result of the aggregate of their opinions, was left to the decision of cross and pile. This verdict was, however, set aside.

DEEMSTER—Or Demster; Sax. "Deman," Dutch, Doeman—A Judge in the Isle of Man; formerly an Executioner in Scotland, who used to report the sentence after the Judge.

RESCUE FROM BAILIFFS BY WATERMEN.—

—— I had been taken by eight serjeants,
But for the honest watermen—I am bound to 'em—
They are the most requiteful'st people living ;
For as they get their living by gentlemen,
They're still the forward'st to help gentlemen.
You heard how one escaped out of the Blackfriars,*
But a while since from two or three varlets,
Who came into the house with all their rapiers drawn,
As if they'd dance the sword dance on the stage,
With candles in their hands like Chandler's ghost ;
Whilst the poor gentleman, so pursued and banded,
Was by an honest pair of hands set free.

Thomas Middleton.

* Alsatia.

JEFFRIES AND MUSIC.—Harris's organ was rejected for the Temple Church by Jeffries on the ground that it did not make noise enough but was afterwards purchased for the Cathedral-church at Dublin, and set up there towards the close of George II.'s reign.

AN ACT FOR CONSOLIDATING AND AMENDING THE LAWS RELATIVE TO JURORS AND JURIES.—

A printed circular was thus filled up.

Street.

Baker Street—badly paved—rascally lighted—with one old woman of a watchman.

Title, Quality, Calling, or Business.

No title, no quality, no calling, except when my wife and sixteen children call for bread and butter ; and as for business, I have none. Times are bad, and there's no business to be done.

Nature of Qualification ; whether Freehold, Copyhold, or Leasehold Property.

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No *freehold* property, no *copyhold* property, no *leasehold* property. In fact, no property at all! I live by my wits, as one half of the world live, and am therefore not qualified.

THE PREVAILING PASSION IN DEATH.—Mr. T——, Attorney-at-Law, on his death-bed, when the priest had given him absolution, and was describing the joys of Paradise, was inattentive to the pious office, the expense attending his illness being uppermost in his mind. He exclaimed, "Father, I tell you these physicians and apothecaries are a set of vultures, preying on their patients; and it is impossible to escape ruin, if you are under their hands for any time."—*Adrian de Valois.*

LE REVENANT—LEGAL DISTINCTIONS.—There are but two classes of persons in the world—those who are hanged, and those who are not hanged—and it has been my fate to belong to the latter.

LAWS OF NATURE—Are as superior to Attorneys laws as good is from evil. The laws of nature are the guide of every man of probity. "Quod tibi fieri non vis, alteri ne feceris"—do not act towards others in a manner you would blame in them.

There are many authors to direct the practice of this excellent rule: viz., Seneca's Epistles, the Wisdom of Charron, the Life of Pomponius Atticus, Montaigne's Essays, the Dialogues of La Mothe le Vayer, Pliny's Epistles, Horace, Juvenal, and the Meditations of the philosophical Emperor Marcus Antoninus.

A HUNDRED TO ONE.—"There were a hundred justices," says one, "at the monthly meeting." "A hundred?" says another. "Yes," says he, "do you count and I will name them. There was Justice Balance, put down one; Justice Hall, put down a cipher, he is nobody; Justice House, you may put down another cipher for him; one and two ciphers are a hundred."

LAW-MAKING—Is in fact an after-dinner amusement which commences when gentlemen have taken their wine, when the theatres have closed, and the night-houses are thrown open for the reception of customers. It cannot, therefore, be a matter of surprise if, under such circumstances, the collective legal wisdom in the House of Commons exhibits strange examples of forgetfulness, haste, and confusion.

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CANONS OF DESCENT.—By an Apprentice of the Law.

Canon I.

Estates go to the issue (item)
Of him last seized in infinitum;
Like cow-tails, downward, straight they tend,
But never, lineally, ascend.

Canon II.

This gives that preference to males,
At which a lady justly rails.

Canon III.

Of two males, in the same degree,
The eldest, only, heir shall be;
With females we this order break,
And let them all together take.

Canon IV.

When one his worldly strife has ended,
Those who are lineally descended
From him, as to his claims and riches,
Shall stand, precisely, in his breeches.

Canon V.

When lineal descendants fail,
Collaterals the land may nail;
So that they be (and that a bore is)
De sanguine progenitoris.

Canon VI.

The heir collateral, d'ye see,
Next kinsman of whole blood must be.

Canon VII.

And, of collaterals, the male
Stocks are preferr'd to the female;
Unless the land come from a woman,
And then her heirs shall yield to no man.

INCOME OF THE LEGAL CLASSES.—When the amount of property and professional practice was greatly less than at present, this was estimated at 7,600,000*l.* per annum, and two-thirds of this sum are probably absorbed by legalists in London.—*Dr. Colquhoun.*

CHANCERY.—

Unhappy Chremes, neighbour to a peer,
Kept half his lordship's sheep, and half his deer,
And injur'd still the more, the more he spoke;

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At last resolved his potent foe to awe,
And guard his right by statute and by law,—
A suit in Chancery the wretch begun;
Nine happy terms through bill and answer run,
Obtain'd his cause and costs, and was undone.

MANY HANDS MAKE LIGHT WORK.—This maxim is reversed in law, and the swarm of practitioners is a principal cause of the multiplication of suits, their protracted duration, and consequent pressure of business in the courts.

ON SIR THOMAS MORE.—

When More some years had chancellor been,
No more suits did remain;
The same shall never more be seen,
Till More be there again.

ENGLISH LAW.—Had the whole system been blindly scraped together from every age, nation, and tribe in the universe, from the farthest extremity of Siberia to the remotest deserts of Garamantes, it could hardly have presented a more confused and hideous jumble of legal lumber, than the statute and common law of England.

ANECDOTE OF AN ATTORNEY.—There dwelt at Vicenza a notorious attorney, who was always declaiming against usury. One day he called upon the parson of the parish, and desired him to preach a sermon against this vice.

The preacher, who was acquainted with his character, asked him the reasons which induced him to make this singular request. "Mr. Rector," replied the attorney, "there are so many persons in this parish who follow my trade, that I can get nothing by it; but should your sermon correct and restrain this practice, people would then come to my house only."—*Bracciolini Poggio.*

EPIGRAM.—On the sign of the Durham Inn, Chester-le-Street, being taken down by legal students.

From one of our inns was a sign taken down,
And sent by some wags to a neighbouring town.
To a limb of the law the freak caus'd much vexation,
And he went through the streets making wild lamentation,
And breathing revenge on the frolicsome sparks,
Who, he had not a doubt, were the "Gentlemen Clerks."*
From the prophets methinks we may inference draw,
To prove how perverse was this man of the law,
For we find it inscrib'd in the pages divine—
A perverse generation looks after a sign.

* A favourite expression of the legal gentleman alluded to.

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OPULENCE.—B——, a rich officer of the law, one day asked a man of wit, what kind of thing opulence was. "It is a 'thing,'" replied the philosopher, "which can give a rogue an advantage over an honest man." — *Francis Charpentier.*

A CONVICT'S GRATITUDE. — An old offender of about sixty-eight years of age, was sentenced to twenty years' imprisonment with hard labour. "Many thanks, your lordship," he exclaimed, rising from his seat; "I didn't expect to live so long."

A SAILORS' RETORT.—A sailor was called into the box as a witness.

"Well, sir," said the lawyer, "do you know the plaintiff and defendant?"

"I don't know the drift of them words," answered the sailor.

"What! not know the meaning of plaintiff and defendant?" continued the lawyer; "a pretty fellow you to come here as a witness. Can you tell me where on board the ship it was this man struck the other one?"

"Abaft the binnacle," said the sailor.

"Abaft the binnacle!" said the lawyer, "what do you mean by that?"

"A pretty fellow you," responded the sailor, "to come here as a lawyer, and don't know what abaft the binnacle means!"

ELOQUENCE.—Over in Jersey, a young lawyer, noted for the length of his neck, his tongue, and his bill, was on the stump blowing his horn; getting on his eloquence, he spread himself, and said: "I would on the 8th of November next, I might have the wings of a bird, and I would fly to every city and every village, to every town and every hamlet, to every mansion and every hut, and proclaim to every man, woman and child, my opinions on this election."

"Dry up," said a bystander; "you'd be shot for a goose before you flew a mile."

TECHNICAL TERMS USED BY LAWYERS.—Young men of the law, both counsellers, and attornies, are very apt to make use of the terms of their profession even in their tender moments.

Tems est de pleurir et de rire,
Comme on disoit anciennement:
Ainsi vous avez beau me dire,
Je ne puis aimer définitivement;

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Climene, un peu de surséance,
Ne poursuivez pas, si'l vous plait;
Contentez vous que j'aime à présent par sentence,
Dans quelque tems d'ici j'aimerai par arrest.

There is a time to laugh and cry;
So says the proverb, so say I.
Demurring is an easy task,
A noli prosequi I ask.
Dear plaintiff, I cannot obey
Your summons to love's court this day;
But be content, dear girl, as yet,
That to its sentence I'll submit;
And soon, in spite of all alarms,
I'll meet confinement in your arms.

Francis Charpentier.

AN ESCAPE.—The constable and prisoner disagreed as to which was the best route, and as the prisoner has not been heard from since, it is supposed he took the wrong road.

AN OPINION.—"Do you think I shall get an honest verdict?" said a prisoner to his counsel. "No," replied the lawyer, "for, I see two men on the jury who object to hanging."

ON THE USE OF REPUTATION.—Accoltus d'Arezzo, a celebrated lawyer in the fifteenth century, with the assistance of his servant, purloined several pieces of meat from a neighbouring butcher's shop.

Two of his scholars of doubtful character were put in prison, as authors of this theft. Accoltus in vain accused himself; it was thought he did so to rescue the young men. When the affair was blown over, and the students set at liberty by paying a certain sum, Accoltus brought plain proofs that he had been the thief. On being asked why he had committed an action so unlike himself, and of which no one would have suspected him, he replied, he did it to set in a strong light the advantage of a well-established character. —*Jacob le Duchat.*

JOHN BULL *v.* HIS ATTORNEY'S BILLS.—When John produced these bills, the family were surprised at the prodigious dimensions of them. They would have measured with the best bale of cloth in John's shop. Fees to judges, puisne judges, clerks, prothonotaries, filacers, chirorraphers, under clerks, proclamators, counsel, witnesses, jurymen,

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marshalls, tipstaffs, criers, porters—for enrolling exemplifications, bails, vouchers, returns, caveats, examinations, filing of writs, entries, declarations, replications, recordats, noli prosequis, certioraris, mittimus's, demurrers, special verdicts, informations, scire facias, supersedeas, habeas corpus, coach hire, stamps, paper, time, waiting, consulting, talking, considering, advising thereon, treating of witnesses, &c., &c. "Verily," says John, "there are a prodigious number of learned words in this law. What a pretty science it is."

A NOLLE PROSEQUI.—A Judge had a man before him, charged with stealing the spoons from a certain tavern in the neighbourhood.

His excuse was that he was drunk. "Did you get your liquor at Birchell's, young man?" inquired the Judge. "Yes, your honour," replied the thief. "And then stole his spoons?" "Yes."

"Mr. Clerk," exclaimed the Judge, "enter a nolle prosequi in this case. I have drunk Birchell's liquor myself, and it always made me feel mean enough to steal."

THE LAWYER AND THE SAWYER.—

I.

To fit up a village with tackle and tillage,
Jack Carter he took to the saw;
To pluck and to pillage the same little village
Tim Gordon he took to the law;
They angled so pliant for gull and for client,
Both sharp as a weasel for rats;
What with their sawdust and what with their lawdust,
They blinded the eyes of the flats.
Then hey for the sawyer! and hey for the lawyer!
Make hay for it's going to rain;
And saw 'em and law 'em and work 'em and quirk 'em,
And at 'em again and again.

II.

Jack brought to the people a bill for the steeple,
They swore that they would not be bit;
But out of a saw-pit is into a law-pit—
Tim tickled them up with a writ.
Cried Jack, the saw-rasper, "I say, Neighbour Grasper,
We both of us buy in the stocks,
While I, for my savings, turn blocks into shavings,
The lawyers are shaving the blocks."
Then hey, &c., &c.

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III.

Jack frolick'd in clover, and when work was over,
Got drunk at the George for a freak;
But Timothy Gordon, he stood for Churchwarden,
And ate himself dead in a week.
Jack made him a coffin, but Timothy off in
A loud clap of thunder had flown;
When lawyers lie level, be sure that the devil
Looks sharp enough after his own.
Then hey for the sawyer, &c., &c.

A THOUGHT.—

The law can take a purse in open court,
Whilst it condemns a less delinquent for't.

JURIES.—The origin of this singular institution is difficult to trace, or to say when, and how it began; so obscure are its footsteps, that my Lord Hale, and even my Lord Coke, seem to have declined it. Spelman in his life of Alfred the Great, (lib. ii., page 71) will have that prince to have been the first founder of juries; but really they had some existence even among the Britons. The Normans likewise had anciently the benefit of juries, as appears in the "Custumier de Normandy," and something like grand juries is to be found in that book under the title "Suit de Murdyr." There are no traces of this institution in the Antiquities of the Jews or Greeks, or Romans.

DAMAGES TWO HUNDRED POUND.—

Then the British twelve to each other turning round,
Laid their clever heads together with a wisdom most profound;
And towards his Lordship looking spoke the foreman wise and sound;—
"My Lord," we find for this here plaintiff, damages two hundred pound."
So, God bless the special jury; pride and joy of English ground,
And the happy land of England, where true justice does abound!!
British jurymen and husbands, let us hail this verdict proper:
If a British wife offends you, you've a right to whop her—
Though you promised to protect her: to the devil you may send her:
You are welcome to neglect her: you may strike her, curse, abuse her;

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So declare our laws renowned ;
And if after this you lose her, why you're paid two hundred pound.—*Macaulay.*

AN EPITAPH.—

Here rests the remains of
HONEST PORTER
who
after an innocent and well-spent life,
was dragged hither, and
tried
for a CRIME he never COMMITTED,
upon LAWS to which he was unamenable,
before MEN who were no judges,
found GUILTY without EVIDENCE,
and HANGED without MERCY :
to give to future ages an example
that the spirit
of Turkish despotism, tyranny, and oppression,
after glutting itself with the conquest of
liberty
in British men,
has stooped at length to wreak its bloody
vengeance
on British dogs
Anno Dom. 1771.
Requiescat in pace.

(The real event of this Epitaph took place near Chichester, 1771.)

LORD MANSFIELD AND AMERICA.—Lord Mansfield, who was always ambitious of posing as a Mæcenas, which may be an excuse for his "legal" judgments, but not for his politics, quoted to his own satisfaction, when war was determined on between England and her colonies, "the sword is now drawn, and the scabbard thrown away. We have passed the Rubicon."

This was not a less prophetic and dreadful denunciation to the interests of Great Britain, than the inscription on the bridge over the Rubicon was to the fate of Cæsar, and the liberties of Rome. This celebrated Senatus Consultum was still to be seen engraved on the way from Rimini to Cesena, in the days of Montesquieu.

Montanus gives the inscription at length, which is stronger than Montesquieu states.

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Aldus Manutius in the year 1565, says he saw this inscription on his way from Venice to Rome, and carefully transcribed it. Whoever has read of the pernicious influence of this Law Lord in the British Cabinet, will say this was the die of America.

THE LAWS OF ENGLAND WITH REGARD TO WOMEN ARE THE SAME AS THE LAWS OF GREENLAND WITH REGARD TO WHALES.—If you strike a whale, it is yours while you keep hold of the line; keep the line fast and the fish is yours; so if you strike a whale in Greenland, and your line is long enough, the fish shall be yours, though it should pass to Nova Zembla, provided you keep hold of the line; but if you let go the line, the fish becomes the property of the next who strikes it. So in this case, the wife would be the property of the husband, had he kept fast the line; but having let go the line, she became the property of the next who struck her. Such was the plaintiff's and defendant's cases. The husband had let go the line out of his hand when he signed an agreement of separation between him and his wife.—*Erskine.*

THE HIGH COURT OF CHANCERY—Has always been a subject of ridicule on the continent. The French Lawyers in speaking of it say, "Nothing ever comes to an end in it", and the unhappy man who has a process there, can be sure of but one thing, viz., that whether he gains it, or loses it, his ruin is certain.

The legal distinction between law and equity has been abolished in America. And law and equity there, as elsewhere in the world, now constitute one system, administered in one series of tribunals of original and appellate jurisdiction.

A VISION.—

"Up!!" said the spirit, and ere I could pray
One hasty orison, whirl'd me away
To a limbo, lying—I wist not where—
Above or below, in earth or air;
All glimmering o'er with a doubtful light,
One couldn't say whether 'twas day or night;
And crost by many a mazy track,
One didn't know how to get on or back;
And I felt like a needle that's going astray
(With its one eye out) through a bundle of hay;
When the spirit he grinn'd, and whisper'd to me,
"Thou'rt now in the Court of Chancery!!"

Around me flitted unnumber'd swarms
Of shapeless, bodiless, tailless forms;

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(Like bottled up babes, that grace the room
Of that worthy knight, Sir Everard Home),
All of them, things half-killed in rearing;
Some were lame,—some wanted hearing;
Some had through half a century run,
Though they hadn't a leg to stand upon.
Others, more merry, as just beginning,
Around on a point of law were spinning;
Or balanced aloft, twixt bill and answer,
Lead at each end, like a tight-rope dancer,—
Some were so cross, that nothing could please 'em;—
Some gulp'd down affidavits to ease 'em;
All were in motion, yet never a one,
Let it move as it might, could ever move on—
"These," said the spirit, "you plainly see,
Are what they call suits in Chancery."
Startled I woke, leap'd up in my bed—
Found the spirit, the imps, and the conjurers fled,
And blessed my stars, right pleased to see,
That I wasn't as yet in Chancery.—

The Author of "Christabel."

THE FESTIVAL OF ST. LEONARD.—

This day the long vaccations o'er,
And lawyers go to work once more;
With their materials all provided,
That they may have the cause decided—
The Plaintiff he brings in his bill,
He'll have his cause, cost what it will;
Till afterwards comes the Defendant,
And is resolv'd to make an end on't—
And having got all things in fitness,
Supplied with money, and with witness—
He makes a noble bold defence,
Backed with material evidence.
Until the other's understood,
The proverb is, one cause is good,
They thunder out to little purpose,
With certiorari, habeas corpus,
Their replicandos, writs of error,
To fill the people's hearts with terror,
And if the lawyer do approve it,
To Chancery they must remove it:
And then the two who were so warm
Must leave it to another term;

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Till they go home and work for more,
To spend as they have done before.

Poor Robin.

A LEGAL LEGEND.—St. Leonard was a French nobleman, in the Court of Clovis I., and founded a monastery called St. Leonard le Noblat. He was remarkable for charity towards capitives and legal prisoners, and died about 559, with the reputation of having worked miracles in their behalf. (*Alban Butler.*) The saint, however, has discontinued interposing for their benefit, even on his festival; which being the first day of Michaelmas term, and therefore, the day whereon writs issued since the Trinity term are made returnable, would be a convenient season for the saint's interposition.

THE LAW.—

——That makes more knaves than e'er it hung
Little considers right or wrong;
But, like authority's soon satisfied,
When 'tis to judge on its own side.

A LAWYER AND HIS SON.—An attorney, on the marriage of his son, gave him 500*l.* and handed him over a chancery suit, with some common law actions. About two years afterwards the son asked his father for more business. "Why I gave you that capital chancery suit," replied the father, "and then you have got a great many new clients; what more can you want?" "Yes, sir," replied the son, "but I have wound up the chancery suit, and given my client great satisfaction, and he is in possession of the estate." "What, you improvident fool," rejoined the father indignantly, "that suit was in my family for twenty-five years, and would have continued so as much longer if I had kept it. I shall not encourage such a fellow."

MASTERS IN CHANCERY.—They feigned a tale principally against doctor's reports in Chancery, that Sir Nicholas Bacon when he came to heaven's gate was opposed touching an unjust degree which had been made in the Chancery. Sir Nicholas desired to see the order whereupon the decree was drawn up, and, finding it to begin Veneris, &c., &c., Why (saith he) I was then sitting in the Star Chamber; this concerns the Master of the Rolls, let him answer it, soon after came the Master of the Rolls, Cordal, who died indeed a small time after Sir Nicholas Bacon, and looking into the order, he found, that, upon the reading of a certificate of Dr. Gibson, it was ordered that his report should be declared, and

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so he put it upon Doctor Gibson, and there it stuck his murdering.—*Bacon's Apophthegms.*

EPITAPH ON A DEPARTED ATTORNEY.—

From the grave where old affidavits reposes,
What a villanous odour invades all our noses;
It can't be his body alone—in the hole
They have certainly buried the attorney's soul.

RELIGIOUS PROCEEDINGS.—At a Sunday-school meeting the following resolution was agreed to on the motion of a promising young lawyer:—Resolved, that a committee of ladies and gentlemen be appointed to raise children for the Sabbath-school.

THE KNAVERIE OF THE WORLD.—

The lawyer at his deske,
Good lawe will promise thee,
Until the very last groat
Is given for his fee.

Cornelius May, 1647.

A LAWYER'S MANNERS.—A proper gentlewoman went to speak with a rich lawyer that had more "gout" than good manners. At her taking leave he requested her to taste a cup of canary. She (contrary to his expectation) took him at his word, and thanked him. He commanded Jeffrey Starveling, his man, to wash a glass, and fill it to the gentlewoman. Honest Jeffrey fil'd a great glass about the bigness of two taylor's thimbles, and gave it to his master, who "kist" it to save cost, and gave it to the gentlewoman, saying that it was good canary of six years old at the least; to whom she answered (seeing the quantity so small): "Sir, as you requested me, I have tasted your wine; but I wonder that it should be so little, being of such a great age."—*The Ἑταῖραι of Lucian.*

ST. GILES' BOWL.—At the hospital of St. Giles for Lazars, the prisoners conveyed from the city of London towards Tyburn, there to be executed for treasons, felonies, or other trespasses, were presented with a bowl of ale, thereof to drink, as their last refreshing in this life."—*Strype's Stow, book ix., ch.* 3.

"A broad bottom'd bowl from which all the fine fellows,
Who passed by that spot on their way to the gallows,
Might tipple strong beer
Their spirits to cheer,
And drown in a sea of good liquor all fear,

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For nothing the transit to Tyburn beguiles,
So well as a draught from the bowl of St. Giles."

THE MISERABLE NIGGARDNESS OF A JUSTICE.—A Justice of the Peace, who came to London to the term, and lying in fleet street, a company of excellent musicians, in the morning played very early at his chamber. But he, being loth to bestow his money so easily, bade his man tell them he could not as then hear their "Musike," for he lamented the death of his mother.

Wherefore, they went their way, for their hope was deceived. A gentleman, a friend of his, in London, hearing the same, came to comfort him, and asked him when his mother dyed. Fayth (quoth he) some xvi. years ago. When his friend understood his deceit, he laughed heartily.

PRIMOGENITURE.—An English cockney dilating on the beauty of British laws, asked an American, if they had hentail in their country. "Hentail!" said the American, looking at his interrogator with curiosity, "no, sir, we have the cock-tail in America, and a very popular drink it is."

REVENONS À NOS MOUTONS—Let us return to our sheep.—A French lawyer pleading the cause of a client who had lost some sheep, talked of everything but the matter in question, when his unfortunate client recalled him by the above exclamation.

LEGAL INFORMERS.—"Sic delatores, genus hominum publico exitio repertum, et pœnis nunquam satis coercitum, per præmia eliciebantur."

Legal informers are a race of men discovered for public destruction, and never sufficiently restrained by pains or penalties, are allured and brought forward by rewards.—*Tacitus.*

LAW—IS LAW.—

—— That wide and pathless maze
Where law and custom, truth and fiction,
Craft, justice, strife, and contradiction,
With every blessing of confusion,
Quirk, error, quibble, and delusion,
Like jarring ministers of state,
Mid anger, jealousy, and hate,
In friendly coalition joined,
To harmonize and bless mankind.

AJUSTEZ VOS FLÛTES—"Make your flutes agree."—Settle your differences by yourselves; never go to Law.

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EPITAPH ON A LAWYER WHO MARRIED A ——

Here lies a wretch, 'midst other clay,
Who heaped up riches every day,
Yet never gave one groat away;
Parted with nothing all his life,
But what in common was—his wife.

LAW STUDENTS—Used to find in their text books that there were four classes of persons to whom the law afforded special protection, as being incapable of managing their own affairs without the aid of attornies, viz., married women, infants, lunatics, and idiots.

PRIESTS *v.* LAWYERS.—If your persuasion falls short of amounting to belief, the priest, so far as depends upon himself, consigns you to everlasting punishment in a life to come (*Athanasian Creed*); if it fails of mounting above belief, the man of law, the judge, consigns you, and in a manner more visibly efficient, to punishment in the present life.—*Harrison.*

EATERS OF BEANS.—Judges who took bribes, and lived upon the gifts they received for doing justice, are called "Κυαμοτρῶγες," Eaters of beans or "Amaltheæ capra," being usually applied to things that bring in large gains, and are a maintenance to their masters.—*Aristophanes.*

AN EPIGRAM.—Two of a trade united.—

How fitly join'd the lawyer and his wife!
He moves at bar, and she at home, the strife.

A CRIMINAL'S REPENTANCE.—One of the sovereign people broke a chair over his wife's head. When he got to gaol, and the chaplain undertook to talk to him, he displayed a good deal of repentance.

He said he was very sorry that he had permitted his anger to obtain the mastery of him, and to suffer him to do such an act, because it was a good chair, one of those good old windsor chairs, which was an heir-loom in his family, and he knew he never could replace it.

THE COURT OF CHANCERY.—In its paternal character, is the general guardian of all infants, idiots, and lunatics, in whose monetary affairs it assumes the most lively interest; it also supervises all charitable uses in the kingdom.

LAW AND EQUITY.—

No Court allows those partial interlopers
Of law and equity, two single paupers,

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T' encounter hand to hand at bars, and trounce
Each other gratis in a suit at once :
For one at one time, and upon free cost, is
Enough to play the knave and fool with justice ;
And when the one side bringeth custom in,
And th' other lays out half the reckoning,
The Devil himself will rather chuse to play
At paltry small game, than sit out they say ;
But when at all there's nothing to be got,
The old wife law and justice will not trot.

LATIN AND THE LAWYERS.—An ordinance of Louis XII. was issued to abolish the use of the Latin tongue in legal procedure ; but such was the prejudice in favour of the ancient language, that notwithstanding that the Latin of the Bar had degenerated into the most ludicrous barbarism, the lawyers were unwilling to yield to the public wish. Francis I. declared by two ordinances that "the French Language" should alone be used in all public acts. In 1629 all legal instruments were drawn up in the vernacular tongue.—*Le Comte de Neufchatcau.*

BURGLARY.—

Law Professor. "What constitutes burglary ?"
Student. "There must be a breaking."
Law Professor. "Then if a man enters a door and takes a sovereign from your waistcoat pocket in the hall, would that be burglary ?"
Student. "Yes, sir ; because that would break me."

LAW—Is to be distinguished from justice, the latter being supposed to be perfect in its nature, whereas the former contains numberless cases of injury, cruelty, oppression, and hardship. This is often adduced as the confirmation of the doctrine of future rewards and punishments.

A JOURNEY TO GAOL.—"What brought you to prison ?" "Two constables, sir." "Yes, but I mean had intemperance anything to do with it ?" "Yes, sir, they were both drunk."

LEGAL DEGREES OF COMPARISON.—

1. It is hard to get on.
2. It is harder to get onner (honor).
3. It is hardest to get honest.

A SCOTCH LAWYER—Is a gentleman who keeps the Sabbaoth, and everything else he can lay his hands on.

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ON A LEGAL INSTRUMENT OF TORTURE, INVENTED BY MR. CUBITT.

The coves in prison, grinding corn for bread,
Denounce thee, Cubitt, every step they tread;
And, though the ancients used thee, sure 'tis hard
The moderns cannot use the prison-yard.
By law they work, and work, and toil in spite,
Yet ne'er exceed two feet from morn till night.

A SUSSEX JURY IN THE TIME OF CROMWELL.—In the fanatical time of the Protector, Scripture phrases were very frequently adopted as Christian names. "Praise God Barebone" was an instance, and he is said to have had two brothers, one called "Christ came into the World to save Barebone," the other, "If Christ had not died thou hadst been damned Barebone."

A list is recorded of a jury empanelled in the county of Sussex about these times, with the following names:—

Accepted Trevor of Norsham.
Redeemed Compton of Battle.
Faint not Hewit of Heathfield.
Make peace Heaton of Hare.
God Reward Smart of Fivehurst.
Standfast on High Stringer of Crowhurst.
Earth Adams of Warbleton.
Called Lower of the same.
Kill Sin Pimple of Witham,
Return Spelman of Watling.
Be Faithful Joiner of Britling.
Fly Debate Roberts of the same.
Fight the good Fight of Faith White of Emer.
More Fruit Fowler of East Hadley.
Hope for Bending of the same.
Graceful Harding of Lewes.
Weep not Billing of the same.
Meek Brewer of Okeham.

CRIMINAL HISTORY OF THE INNS.—

John Ayloff—Of the Inner Temple, convicted of high treason, was hanged opposite the Temple Gate, 1685.

Christopher Layer—Of the Inner Temple, was executed at Tyburn, for attempted murder, March 15th, 1723. His head was placed in Temple Bar, and there remained longest its tenant.

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Thomas Carr—The Elm Court attorney, was hanged for murdering Mr. Quarrington at a tavern, January 18th, 1738.

Henry Justice—Of the Middle Temple, was sentenced to death for stealing books from the library of Trinity College, Cambridge, 1757.

Peter Burchet—Of the Middle Temple, was hanged for barbarously murdering his gaoler, 12th November, 1573—his right hand being first "stricken off, and nailed to the gibbet."

A LEGAL FRIEND.—Of all woeful friends, a hangman is the most trusty; for if he once have to do with a man, he will see him hanged before he shall want money or anything else.

FEMALE WHIPPING.—The last public instance, according to law, was in 1793.

AN ATTORNEY'S ASSISTANT.—One that was skilled in writing shorthand, promised a lawyer's clerk to teach him his skill, who thanked him for his pains, but told him they could not live by making shorthand of anything.

LYON'S INN, STRAND.—

"They cut his throat from ear to ear,
His brains they batter'd in;
His name was Mr. William Weare,
He dwelt in Lyon's Inn."

T. Hook.

JUDICIAL MERCY. — For killing a supposed ghost, by accident, Francis Smith, was condemned to death, and his body given to the surgeons to be dissected. Four learned judges acquiesced in this sentence, although the jury attempted to bring in a verdict of manslaughter.

EPITAPH ON JUDGE BOATE, ob. 1723.—

"Here lies Judge Boate, within a coffin:
Pray, gentlefolks, forbear your scoffing.
A boat, a judge! Yes, where's the blunder,
A wooden judge is no such wonder,
And in his robes, you must agree,
No boat was better deck'd than he;
'Tis needless to describe him fuller,
In short, he was an able skuller!"

Swift.

PEACE—Is a word without meaning in law. The peace is

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broken by an unsuccessful attempt to give currency to a forged note, or a bad shilling. Other offences, though committed by consent, are never committed any otherwise than by force and arms.

TRIAL BY JURY—Is trial with lawyers ; by itself they could not recommend it, without sacrifice of their professional interest.

BRIBES.—When Lord Bacon was punished for taking bribes, his excuse was, that though he made justice pay more than he ought to have done, he never for money shewed favour to injustice.

LAWYERS—Of all men, are least given to telling tales out of school ; the quantity of abuse that transpires is as nothing in comparison to that which is kept close.

JUSTICE.—The Ancient Romans, being pagans, had their "dies fasti," and their "dies nefasti," days in which justice was to be done, and days in which it was not to be done. The primitive Christians, being a whimsical set of people, when they came into power took it into their heads, evidently out of a spirit of opposition, to administer justice upon all days alike.

THE KING OF SPAIN.—Selden outlawed his Catholic Majesty for not making his appearance in Westminster Hall, in pursuance of a notice thus delivered.

ON A LAWYER.—Multa bibens, et multa vorans, mala denique dicens multa, hic jaceo.

Having drunk much, eaten much, and spoken much evil, here I lie.

Yield homage only to eternal laws.

LAWYERS—Are one of the most abused classes of the community, and anything related against them is usually received with a species of delight by those not of their number. A sweeping charge against doctors, sausage-makers, undertakers, or parsons, simply produces a smile of amused unbelief; but the same aspersions cast upon the legal fraternity are read and heard in solemn silence, and credited in dead earnest. What, for instance, would be thought of a father who, in giving his son, about to start in the world, his parting advice, should instruct him to implicitly trust himself, and his business affairs to lawyers; that lawyers were

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all honourable men, and would not defraud him, and that if he would go to his lawyer when in trouble and needing advice, it would be best for his own interests. Yet the advice would be thought all right if the word lawyer were left out, although no son could receive, as a general rule, sounder or better counsel.

LAW MILLINERY.—Few men in those ages (1700), were learned in the laws except the clergy, who were bound by their order to shave their heads. The serjeants counters, being originally part of this body, were obliged, of course, to follow this rule; but for "decency and comliness," or rather perhaps for warmth, were by degrees allowed to cover their "baldness with a coif." This was at first a thin linen cover, gathered together in the form of a skull, or helmet; the material being afterwards changed into white silk, and the form eventually into the black patch at the top of the forensic wig, which is now the distinguishing mark of the degree.

Thus they were frequently called Serjeants of the Coif.

The remainder of the dress was a long priest-like robe, with a cape about the shoulders furred with lambskin (an emblem of innocence) and a hood with two labels upon it. They had also party-coloured robes. — *Sir H. Chancey, Serjeant-at-law,* 1700.

JUDGES—Were exempted from the payment of "scutage" and other assessments on their property, "per libertatem sedendi ad scaccarium." Temp. 1199, 1216.

AN AXIOM.—The worst of law is, that one suit breeds twenty.—*Spanish.*

A LAW-SUIT.—A suit in law being referred to a gentleman, the plaintiff who had the equity of the cause on his side, presented him with a new coach: the defendant with a couple of horses: he, liking the horses better than the coach, gave sentence on the defendant's side.

The plaintiff calls on him, and asks him how it came to pass the coach went out of the right way.

He answers that he could not help it, for the horses had drawn it so.

LEGAL CHAINS.—The collar of S.S. is derived from the name of Saint Simplicius, a Christian Judge, who suffered martyrdom under the Emperor Diocletian, "geminæ vero S.S. indicabant Sancti Simplicii nomen."—*Dugdale.*

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How the Lawyers came by their Patron Saint.—Now that I am writing of the lawyers, give me leave to transcribe an ancient tale : "Goeing with a Romane to see some antiquiteys, he showed me a chapell dedicated to one St. Evona, a lawyer of Brittanie, who had come to Rome to entreat the Pope to give the lawyers of Brittanie a patron ; to which he replied that he knew of no saint, but was disposed of to other professions, at which Evona was very sad, and earnestly beg'd of the Pope to think of one for him.

"At last, the Pope proposed to St. Evona that he should goe round the Church of St. John de Lateran, blindfolded, and after he had said so many Ave Marias, that the first he lay'd hold of should be his patron, which the good old lawyer willingly undertook, and at the end of his Ave Marias, he stopt at St. Michel's altar, where he lay'd hold of the divill under St. Michael's feet, and cried out, 'This is our saint, let him be our patron.' So being unblindfolded, and seeing what a true patron he had chosen, he went to his lodgings, so dejected, that in a few months he departed to the 'saint' he had chosen."

On Lawyer Lag.—

Here lies Lawyer Lag, in a woeful condition,
Who once was a law-man, now turned politician ;
Alive, he a templar was keeping his terms,
And dead, he makes one in the diet of worms.

English Justice in Ireland.—Two men convicted of a theft, were as usual, sentenced to death by the Chief Justice, when the elder of the two turned to his fellow-prisoner, and in the heat of the moment, at being condemned to die for so trivial an offence, exclaimed, "This is all along of you, if you had not hindered my taking that fellow's life, he would not have been here to swear our lives away." "The next blood which you shed," replied his lordship, "be it on my head : he shall be spared ; but you shall not see another day." A carpenter was sent for, a gallows was erected in the dock, and the unhappy man was hanged in the presence of this upright Judge, and the full court. If any other human monster had committed such an atrocious act of barbarity, it would have been stigmatised as a cold-blooded murder of the foulest description. This judge, like Jeffries the execrable, was merely sustaining the majesty of the law.

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A ROYAL EXECUTION.—Thomas Andrews, Esq., High Sheriff for her Majesty's county of Norfolk, was the legal official to whom the body of the Scottish Queen was delivered over to. The great hall within the Castle of Fotheringtray was the place appointed. The 8th day of February, 1586, being come, the queen being of stature tall, of body corpulent, round shouldered, her face fat and broad, double chinned, her borrowed hair, auburn; her attire was this: on her head she had a dressing of lawn, edged with bone lace; a Pomander chain, and an Agnus Dei about her neck; a crucifix in her hand; a pair of beads at her girdle, with a golden cross at the end of them; a veil of lawn fastened to her caul, bowed out with wire, and edged out with bone lace; her gown was of black satin printed, black, cut with a pair of sleeves of purple velvet whole under them; her girdle whole, of figured black satin, and her petticoat-skirts of crimson velvet; her shoes of Spanish leather, with the rough side outward; a pair of green silk garters; her nether stockings worsted, coloured watchet, clocked with silver and edged on the top with silver; and next her leg a pair of Jarsey hose, white. Thus apparaled she willingly bended her steps to the place of execution. There were two executioners; their names are unknown. Her Majesty said: "In manus tuas, Domine, commendo spiritum meum;" upon which one of the executioners gave two strokes of an axe before he did cut off her head. The sheriff and his men carried her remains up into a great chamber made ready for the surgeons to embalm her, and there she was embalmed.—*Howard Memoirs*, 1769.

ON LORD CONINGSBY (LORD CHIEF JUSTICE OF IRELAND).—

Here lies Lord Coningsby—be civil!
The rest God knows, so does the devil!

Pope.

A LEGAL PRIVILEGE.—The bodies of peers were exempted from the pains of torture.—*Coke.*

LEGAL TORTURE.—The last recorded case was in May, 1640, when John Archer, a glover, who was charged with having been with a party of men that had attacked Laud's palace at Lambeth, was racked for the better boulting out the truth of the matter. Sir Ralph Whitfield and Sir Robert Heath, knights, serjeants-at-law, were told off to take down his evidence, and to have him "racked at their discretion."

A VEHEMENT SUSPICION OF GUILT—Was legally ex-

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tracted out of F. Gerard by an application of the "iron gauntlets." These persuaders of the law could be contracted by the aid of a screw, and served to compress the wrists, and to suspend the prisoner from two distant points of a beam. The prisoner was placed on three pieces of wood, piled one on the other, which, when his hands had been made fast, were successively withdrawn from under his feet. F. Gerard, who was thus tortured, says, "I felt the chief pain in my breast, belly, arms, and hands. I thought that all the blood in my body had run into my arms, and began to burst out into my finger ends. This was a mistake; but the arms swelled till the gauntlets were buried within the flesh. After being thus suspended an hour I fainted; and when I came to myself I found the executioners supporting me in their arms. They replaced the pieces of wood under my feet; but as soon as I had recovered, removed them again. Thus I continued hanging for the space of five hours, during which I fainted eight or nine times." These legal persuasions were always attended by a gentleman of the law, to see nothing was done contrary to law, and to examine the prisoner "before torture, in torture, and after torture," generally one of the masters of the Court of Requests.

DRINK AND THE LAWYERS.—

In Michigan these gentlemen have decided that a "Saloon" (a public-house in England) may be a place for the sale of liquors, or a place for the sale of general refreshments.

In Texas they have decided that a "Saloon" may be a room for the reception of company, or one set apart for the exhibition of works of art.

In Connecticut they have decided that neither an enclosed park, nor an uninclosed platform, where lager beer is retailed, can be considered a "Saloon," house, or building, within the meaning of the Act forbidding the sale of intoxicating liquors upon Sunday.

In Massachusetts they have declared that a cellar is a "Saloon" when used for that purpose.

In New York they have decided that "intoxication" depends upon the quantity and quality of the liquor consumed.

In New Hampshire they have decided that "spirituous liquors" are not to be confounded with "fermented liquors."

In Indiana they are of opinion that if a witness states brewers' beer is intoxicating, it is no sufficient proof that it is

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so, unless that opinion is founded on personal experience of its effects.

In Massachusetts they have decided that if a man merely smells some beer, it is a sufficient legal proof of its overpowering quality.

In Iowa they have decided wine is not an intoxicating drink if made from grapes, currants, or other fruits grown within the state.

In Maine they have decided that wine and cider of native growth are intoxicating drinks, if anybody finds them so.

STATUTES AND MOPS.—The first legal act for regulating servants' wages passed in the year 1351, 25 Ed. III.

THEFTS.—The prevalence of this evil induced the legislature in 1725 to make the reception of stolen goods capital. The first sacrifice to the law was the noted Jonathan Wild.

LAWYERS or scriveners in former days, guilty of dishonest practices, were sentenced to lose their ears.

"But tugged and pull'd on th' other side,
Like scrivener newly crucify'd."

Prynne, Batwick, and Burton were placed in the pillory and had their ears cut off, 1637.

BIRDS OF A FEATHER.—A lawyer's clerk ran off with 80,000 francs of his employer's money. A few days afterwards the lawyer received the following letter from his subordinate: "Honoured Sir,—As there is no one in whom I have such confidence as yourself, I venture to inquire if, in case I am apprehended, you would consent to undertake my defence? Yours very respectfully, A. ZANGERL."—*Studer Kalender.*

LAWYERS—Must always be feed, or else they are as mute as a fish, better open an oyster without a knife.—*Sesellius.*

LEGAL HAIR-SPLITTING.—It was not until the matter had been disputed for two hundred years that it was settled that "from the date," and "on and from the date," were synonymous phrases. But for the perseverance of a stubborn gentleman, who was not satisfied by being beaten in two courts out of three, we should not know wherever the words "value" or "annual value" are used that they mean "net," not "gross" value.—*Chambers's Journal.*

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EPITAPH ON A LAWYER.—

"O fickle fortune, cruel, heartless jade!
This brawler who his voice, his fortune, made,
Summon'd to plead in Radamanthus' Court,
Finds, what he sold, must now be bought."

LEGAL ABSENCE OF MIND.—Peter Burrowes, a well-known member of the Irish Bar, at the beginning of the present century, was on one occasion counsel for the prosecution at an important trial for murder. Burrowes had a severe cold, and opened his speech with a box of lozenges in one hand, and in the other the small pistol-bullet by which the man had met his death. Between the pauses of his address he kept supplying himself with a lozenge. But at last, in the very centre of a high-faluting period, he stopped. His legal chest heaved, his eyes seemed starting from his head, and in a voice tremulous with fright, he exclaimed, "Oh-h-h, gentlemen, gentlemen; I've swallowed the bul-let."

CURSITORS.—Broken down attorneys, or Newgate solicitors, such a class have long ceased to exist.

GREEN BAG.—An attorney; these gentlemen used to carry their clients' deeds in a green bag; hence the nickname so often found in old plays.

CLUB-LAW — Argumentum bacculinum, in which an oaken stick is a better plea than a writ, an affidavit, or an Act of Parliament.

MR. JUSTICE JAMES ALLAN PARKE—Is not unworthy of being remembered as a lawyer of the old school with prejudices of the oldest. He was called "St. James's Park" to distinguish him from the judge of the same name, who was called "Green Park."

LAW-COURTS.—In the Saxon ones the minister of justice never sat without the minister of religion at his elbow.

LAW.—A curious synopsis of the law called the "Synopsis of Michaelis Psellus," belongs to this period (A.D. 969). It is written in Iambic lines, of which there are 1408.

THE RECORDER OF BRISTOL.—SIR CHARLES WETHERALL, was very careless in his attire; it is related that during the riots he made his escape from the fury of the mob in the disguise of a clean shirt and a pair of braces.

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A PLEASANT LEGAL PERIOD.—In Henry VIII.'s time "there was but one step to the gallows from the lash and the branding-iron."—*Froude.*

WILLS.—It is well known that in the earliest days of Rome, that is, at some time before the date of the twelve tables, the conception of a will in the modern sense had not arisen.

DEFINITION OF A LAWYER.—A learned gentleman who rescues your estate from your enemies, and keeps it himself. —*Brougham.*

SOME LEGAL TOOLS.—*Manacles* are first mentioned in a warrant of 25th October, 1591. They were kept at the Bridewell, and afterwards at the Tower. They were akin to others of the same genus, differing slightly in the species. *Thumbscrews.*—Fashionable instruments in Spain, but were never great favourites with the legal authorities in this country, perhaps because the torture of the *Iron Gauntlets* was considered by the profession to carry out more fully the principle upon which they were constructed. *Skevington's Daughter*, corrupted into the Scavenger's Daughter, was a broad iron hoop of iron, consisting of two parts fastened together by a hinge. The prisoner was made to kneel on the pavement, and to contract himself into as small a compass as he could. Then a hireling of the law, kneeling on his shoulders, and having passed the hoop under his legs, compressed the victim till he was able to fasten the extremities over the small of the back. The time allotted for all this judicial pastime was an hour and a half, during which time blood often spurted and started from the nose, eyes, and ears; and even, it is said from the hands and feet. *Little Ease* was a dungeon so constructed that the prisoner could neither stand, walk, sit, nor lie down. Fellow to it was, "the dungeon among the rats," a dreadful hole, below high-water mark, into which the ooze of the river found its way, and with that came hosts of rats, which positively gnawed the flesh off living prisoners. By order of the Judicial Council, Thomas Sherwood was confined here, and managed to endure it; but succumbed to the rack to which he was taken from his horrible dungeon.

A LAWYER'S HARVEST.—Cardan, on hearsay, his authority being the Bishop of Lisieuf, states that 72,000 criminals perished by the executioners in the reign of Henry VIII.—*Froude.*

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EPITAPH ON A LAWYER.—

"He practised virtue, pleaded for the right,
And ran the race all men try to win;
He lightened many an over-burthen'd wight:
And if a stranger came, he took him in."

THE MAGISTRATE AND THE CULPRIT.—Judge: "Prisoner, it appears that you had an accomplice, a villain of the deepest dye." "Well, you see, mon president, I could not get a single honest man to help me."—*Varieties.*

THE USURY LAWS—Were all repealed in the eighteenth year of Queen Victoria. The Jews at one time were the only money-lenders and usurers, when they, as Israelites, in whom there was much guile, took revenge through the interest-tables for the confiscations, banishments, tooth-drawings, frizzling in oil, and other delicacies which Gentile lawyers extended to them. It is to be observed that while the legal wisdom of this country asserts "that usury is directly against the law of God" (Coke), it explains away the getting of usury out of strangers by saying, "it was a means either to exterminate them or to depauperate them."

HORSE-POISONING.—Daniel Dawson was hanged at Cambridge in July, 1810, for poisoning thorough-breds. He suffered under what was called the Black Act, passed in George I.'s reign; but it is not surprising, as the judicial mind (in those days) held property in so much higher estimation than human life that the capital punishment was inflicted.

A SHOWER OF WRITS.—In 1802 upwards of 200,000 writs were issued for arrests of debtors in the kingdom for sums varying from four pence to 500*l.* and upwards; 15,000 of these were issued in Middlesex alone.—*Neild.*

WOMEN AND LAWYERS.—In 1825, the latter used to send the former to the treadmill.—*Edinborough Review*, February, 1882.

A LEGAL PRIVILEGE TO DOCTORS.—Surgeons were granted four bodies of executed malefactors for "Anathomyes," which privilege was extended in the following reign by 32 Henry VIII. cap. 42.—*Hayden's Dictionary of Dates.*

LAW.—An "Ars bablativa."—*Maynard.*

SCROGGS *v.* CARE.—Old Scroggs said from the bench (1679), "For those hireling scribblers who write to eat, and lye for bread, I intend to meet them in another way. For they are safe only whilst they can be secret, but so are vermin."

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SCROGGS *v.* CARE.—

"By G—, you rogue, I'll write you, don't you know,
That I am the Pope's friend incognito?
What tho' now and then a bribe or two,
I take to clear traitors, what's that to you!
What if the Pope's physician secretly
Unto my fist, did golden balm apply!
'Twas nothing but my eyesight for to clear
That he to me might innocent appear.
Can't a man now and then out of his way turn,
But you must quote Latimer's sermon?
I all the gaols in England will fill
With such bold rogues as you, who dare write ill
Of my benefactors, i.e. the Catholicks,
And pile you up as men do fagot sticks.
I'll send you to gaol, to put you to charges,
And for it from the Pope, I'll get more largess.
Sirrah, I'll trounce you before we've done
With you; else ne'er believe a
Butcher's Son."

JUDICIAL BRIBES.—What can be more severe or unjust, than to see a nation, where by lawful custom, the office of a judge is to be bought and sold, where judgments are paid for with ready-money, and where justice may legally be denied to him that has not wherewithal to pay; a merchandise in so great repute, as in a government to serve a fourth estate of wrangling lawyers, to add to the three ancient ones of the church, nobility, and people.—*Montaigne.*

THURLOW'S CHARACTER.—The great Pitt used to declare that this Lord Chancellor "proposed nothing, opposed everything, and agreed in nothing." He was, he said, "Non homo, sed discordia," not a man, but the spirit of discord personified.

"HEARING *v.* UNDERSTANDING."—Sir Julius Cæsar, Master of the Rolls, was reputed none of the deepest men, and had many sly jests passed upon him; among others, he was once hearing of a case, somewhat too intricate for his capacity, and his judgment began to incline the wrong way. The court at that time being very loud and clamorous, one of the counsel to the adverse part, steps up, and calls out, "Silence there, my masters, ye keep such a bawling, the Master of the Rolls cannot understand a word that's spoken."

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A LEGAL ANAGRAM.—

THOMAS EGERTON.
Honors met age.

Honors met age, and seeking where to rest,
Agreed to lodge and harbour in thy breast.

First Lord Ellesmere; Governor of Lincoln's Inn; Chancellor of Oxford; High Steward on Somerset's trial; Lord Chancellor. B. 1540, D. 1617.

THE JUDGE AND THE CARPENTER.—The latter having neglected to make a gibbet which was ordered by the hangman, on the ground that he had not been paid for the last he had erected, gave so much offençe that the next time the Judge came to the circuit he was sent for. "Fellow," said the judge, in a stern tone, "how came you to neglect making the gibbet that was ordered on my account?" "I humbly beg your pardon," said the carpenter; "had I known it had been for your lordship it would have been done immediately."

A GOOD JUDGE—Conceives quickly, judges slowly.

JUDGES—
Are gods, and he who made them so,
Meant not men should be forced to them to go,
By means of angels.*

Dr. Donne, satire V.

* Messengers, coin, id est, bribes.

EPITAPH ON A LAWYER.—
God works wonders now and then;
Here lies a lawyer, and an honest man.

Answered—
This is a mere law quibble, not a wonder;
Here lies a lawyer, and his client under.

JUSTICE.—"On a recent survey of the gaol at Brecon, there were among other persons, half starved and cruelly treated, two women, without shoes and stockings, heavily loaded with double irons."—*Neild.*

HANGING OF WOMEN.—A woman of the name of Greene, after being hanged, was recovered by Sir William Petty. The time of suspension, it may be necessary to observe, was not quite so long as that of Judith de Balsham; she only hung about half an hour. This, however, was a slight legal

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mistake, as the woman Greene was found to be innocent of the crime for which she suffered.—*Plott.*

BALAAM'S ASS.—One Williams, a barrister of the Middle Temple, was found guilty of high treason, for sending a book with this title, to King James, unpublished, and sealed up, warning him that his death was foretold in the twenty-fifth verse of the seventh chapter of Daniel.

Williams was condemned on the truly legal ground—that "it was clear he meant to take steps to fulfil the prophecy."

SOME LEGAL SINECURES.—The Countess of Mansfield used to receive 1000*l.* a year from the Barbadoes planters, and the Duchess Dowager of Manchester 2928*l.* a year, as late collector of the customs outwards. Not long since a right honourable lady was chief usher in the Court of Exchequer; and the Honourable Louisa Browning and Lady B. Martny were custodes brevium. The Beresfords held the appropriate offices of wine-tasters, storekeepers, packers and craners in Ireland. The Duke of Grafton, and Lords Ellenborough and Kenyon, with deputies to help, were clerks, sealers, and keepers of writs. Lord Henley was Master in Chancery, Lord Walsingham was in the petty office of comptroller of first-fruits in the Court of Exchequer; Lord W. Bentinck, formerly Governor-General of India, was Clerk of the Pipe, part of whose office it is to attend or assist the man who holds up the Lord Chancellor's hind clothes. The sinecures in the English Law Courts (1840), in the gifts of the Judges, amounted to 62,462*l.* per annum.—*Parnell's Finance Committee.*

EPITAPH ON SIR DUDLEY RYDER, KNT.—

Here
Rests at last
From all his sanguinary Desires,
Sir Dudley Ryder, Knt.,
Whose love of Money
Was only exceeded
By his Lust of Punishment;
Form'd by Nature for all the Chicanery
Of the Law,
By unwearied Application
To his own interest,
By prostituting his Conscience
and
A true time-serving Spirit,
In spite of Genius,

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From the basest Original,
He acquired the immense sum
Of Three Hundred Thousand Pounds,
And wriggled himself into the Post
Of Attorney-General—
In the execution of this office,
His heart constantly felt Affliction,
His eye ever flow'd with Sorrow,
When the Innocent escaped unpunished—
Hence by slavish Obedience
To M——l Mandates,
In wresting Laws to arbitrary Purposes,
He ascended the Seat
of
Lord Chief Justice—
The same Thirst of Vengeance
Still waited on his footsteps ;
Those whom he longed to punish
As Attorney,
He now condemn'd,
With Delight
As Judge ;
Truth found no Justice,
Virtue no favour,
Innocence no mercy,
When in Opposition to Court Measures ;
Zealous to establish Tyranny
In the Crown Law,
Against all but Robbers
Of the Public Money,
To whom, from Sympathy,
He was merciful beyond Measure ;
Enemy to Liberty,
Steady in his Country's Ruin,
Encouraged and adapted
By all the qualities in Head and Heart,
Which disgrace human nature,
To request Nobility ;
He asked,
And it was granted.
Heaven and Monarchs
Behold with different Eyes :
Him, whom His Sovereign summoned
To a Peerage,
God snatched to answer for his Crimes,

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For know, the Almighty, unresenting
Permits the Ambitious to receive,
And Kings to bestow those Honours
On the Nefarious,
Which are only the just Reward
Of
Virtue.

JUDICIAL WIT.—Lord Norbury, when once charging a jury in a breach of promise case, noticed that the letters of the faithless defendant had been so long in the plaintiff's pockets or so often shown to her sympathizing friends, that they were greatly frayed at the folds and almost in tatters.

"Gentlemen," said Lord Norbury, carefully holding up one of the epistles to the gaze of the jury, "It is easy to see that these are love-letters, because they're so exceedingly tender."

MR. TOWNSEND.—This well-known Bow-street runner stated before a Parliamentary Committee in 1816, that he had twice seen forty human beings of both sexes hanged at one time.

AN IRISHMAN'S EXCUSE FOR BREAKING THE LAW.—An Irishman recently brought before a Justice for being drunk, was asked what excuse he had for becoming intoxicated. "Seven excuses, your Honour," replied the inebriate. "Seven excuses?" "Yes, seven. I don't mind telling you all about it. You see, I have got six boys in my family, and last night—it's a girl, my lord."

TO A BRIEFLESS BARRISTER.—
If, to reward them for their various evil,
All lawyers go hereafter to the devil;
So little mischief thou dost from the laws,
Thou'lt surely go below without a cause.

MAGISTERIAL FORETHOUGHT.—A Justice of the Peace lately suggested that it would not do to go on drowning stray dogs in the river, as they might impede navigation.

LEGAL CAPTIVES.—
"We are all innocent," the prisoners cry;
"Believe us, none here willingly would lie."

FORGERY.—Mr. Maynard was the last who was hung for this offence, in 1825; 1*l.* notes were a fruitful source of forgeries.

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OLD TOM.—It took the luminaries of the Canadian Court of Queen's Bench half a year to decide whether "Old Tom," came under the definition of "spirits." A majority of experts were of opinion that it did not, being only a compound of spirits, sugar, and flavouring matter; but the Court ultimately decreed that "Old Tom" belonged to the family of spirits, and that to hold otherwise would be a mere trifling with words.

GEORGE II. AND ENGLISH CRIMINAL LAWS.—The conviction of the cruelty of these laws was so strong in the mind of this king, that except in cases of murder, he would never sign a death-warrant without betraying every symptom of grief, reluctance, and disgust, twirling his hat, and walking with anger round the chamber, and condemning in bad English the barbarity of the laws.

THE KING OF BRENTFORD'S TESTAMENT.—

"Go fetch," says he, "my lawyer,
I'd better make my will."

The monarch's royal mandate
The lawyer did obey;
The thought of six-and-eightpence,
Did make his heart full gay,
"What is't," says he, "your Majesty
Would wish of me to-day?"

"The doctors have belabour'd me
With potion and with pill,
My hours of life are counted,
O man of tape and quill!
Sit down and mend a pen or two,
I want to make my will."

Thackeray.

EPITAPH ON MR. PRESTON, A CONVEYANCER.—

Stern death hath cast into abeyance here
A most renowned conveyancer,
Then lightly on his head they laid
The sod that he so oft conveyed,—
In certain faith and hope he sure is,
His soul like a scintilla juris
In nubibus expectant lies,
To rise a freehold to the skies.

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THE STRINGENT POWERS OF THE ADMIRALTY COURT.—Defoe writes, in 1722, "England was a fine country, but a man called Doctors Commons was the devil, for there was no getting out of his clutches, let one's cause be never so good."

THE PILLORY.—One is still standing at Coleshill, Warwickshire, and in an unused chancel of Rye Church, Sussex, is a pillory, last used in 1832. The pillory was abolished in France in 1832.

THE INNS OF COURT.—"Down with them all."—*Jack Cade.* The ancient records in the Temple were destroyed by Wat Tyler.

FOUNDLING LAWS.—

"O Justice!" says the doctor, "instruct me what to do,

* * * * * *

I've come from the country to throw myself on you;
My patients have no doctor to tend them in their ills,
There they are in Suffolk without their draughts and pills."

* * * * * *

(Which his name was Mr. Hammill, a honourable beak
That takes his seat in Worship Street four times a week.)

"I've come up from the country to know how I'll dispose
Of this pore little baby, and the twenty-pun note and close,
And I want to go back to Suffolk, dear Justice, if you please,
And my patients wants their doctor, and their doctor wants his fees."

Up spoke Mr. Hammill, sittin' at his desk,
"This year application does me much perplesk:
What I do adwise you, is to leave this babby
In the parish where it was left by its mother shabby."

The doctor from his Worship sadly did depart—
He might have left the babby, but he hadn't got the heart
To go for to leave that hinnocent, has the laws allows,
To the tender mussies of the Union House.

Thackeray.

LAW.—If the law giving to the prevailing party costs should be abolished, it is doubtful if more than a portion of the lawyers of this day would be necessary.

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A JURYMAN.—"Judge, I desire to be excused from jury service." "Why?" asked the court. "Because I can only hear with one ear." "Oh, you'll do," said the judge, "we only hear one side of a case at a time."

KISSING A JUDGE.—In one of the New Orleans courts a negro was called as a witness. The judge, noted for austerity, held out the book, and the witness was sworn, and of course expected to kiss the book. But the witness was unused to criminal proceedings. "Why don't you kiss?" demanded the judge. "Sar!" "Ain't you going to kiss?" was again inquired. "Sar!" repeated the astonished negro. "Kiss, I tell you!" repeated the judge. "Yes, sar! yes, sar!" exclaimed the frightened and trembling black man.

The long arms of the son of Ham were thrown around the judicial neck, and before he could be prevented, saluted the judge instead of the book.

CHARACTER OF A PETTIFOGGER.—He promotes quarrels, and in a long vacation his sport is to go a-fishing with the penal statutes. He is a vestryman in his parish, and easily sets his neighbours at variance with the vicar, when his wicked counsel on both sides is like weapons put into men's hands by a fencer, by which they get blows, he money. His honesty and learning procure him the office of under-sheriff; which having thrice obtained, he does not fear the lieutenant of the shire, nay more, he fears not God.

His pen is the plough, and his parchment the soil, wh ence he reaps both corn and curses. He is an earthquake that willingly will let no ground lie quiet.

Broken titles make him whole: to have half the country break their bonds were the only liberty of conscience. He would wish that no neighbour of his should pay his tithes duly, if such suits held continual plea at Westminster. He cannot away with the reverend service in our Church because it ends with the Peace of God.—*Overbury.*

The law my calling is,
  My robe, my tongue, my pen,
Wealth and opinion gaine,
  And make me judge of men.
The knowne dishonest cause
  I never did defend,

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Nor spunne out sutes in length,
But wisht and sought an end,
Nor counsaile did bewraye,
Nor of both parties take,
Nor ever tooke I fee
For which I never spake.

Maynard, 1611.

THE BLUE LAWS OF CONNECTICUT.—No one shall run on a Sabbath day or walk in his garden or elsewhere, except reverently to and from church.

No one shall travel, cook victuals, make beds, sweep houses, cut hair, or shave, on the Sabbath day.

No woman shall kiss her child on Sabbath or fasting days.

No one shall read common prayer, keep Christmas or saints' day, make minced pies, dance, play cards, or play on any instrument of music, except the drum, the trumpet, and the Jew's harp.

"No one shall court a maid without first obtaining the consent of her parents; five pounds penalty for the first offence, ten for the second, and for the third, imprisonment during the pleasure of the court."

A COURT HOLDEN JULY 1, 1640.—Thomas Parsons and John ——, servants to Elias Parkmore, were whipped for their sinful dalliance and folly with Lydia Browne.

Goodman Hunt and wife were whipped for keeping the councils of William Hardinge, baking him a pasty and plum cakes, and keeping company with him on the Lord's day, and she suffering Hardinge to kiss her; they being only admitted to sojourn in this plantation on their good behaviour, were ordered to be sent out of this town, within one month from the date hereof; yea, in a shorter time if any miscarriage be found in them,—*MSS. Hartford, U.S.*

PEINE FORTE ET DURE—Of pressing to death—for standing mute before an English judge—some instances are to be met with in the reign of George II.

In England, the latest instance of this punishment occurred in a case where Baron Thompson presided as judge; this odious and revolting sentence was merely an adjunct of that fondness for capital punishments which formerly pervaded the criminal laws.

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COURT OF CHANCERY—Has been called the "Mint of Justice," it might have been, at some distant period, a mint for coining into fees the effects of minors, legatees, bankrupts, widows, orphans, and lunatics.

CONTINENTAL JURISCONSULTS AND ENGLISH LAWYERS.—In this country and on the Continent there is a marked difference between the two. By the former, law has long been treated as a rational science; by the latter, it is considered nothing more than a mass of precedents, forms, and technicalities, an art or mystery; a drizzling maze of empyrical inventions, circuitous procedure, and unintelligible fiction, calculated to fortify monopoly, and wrap justice in delay and expense.

LAW MAXIM.—"Dilationes in lege sunt odiosæ"—Delays in the law are odious.

A LONG SUIT.—The longest suit on record in England is one which existed between the heirs of Sir Thomas Talbot, Viscount Lisle, and the heirs of a Lord Berkeley, respecting some property in the county of Gloucester, not far from Weston-under-Edge. It began at the end of the reign of Edward IV., and was depending until the beginning of that of James I., when it was finally compounded, being a period of not less than one hundred and twenty years.

THE DUKE OF WELLINGTON.—When the first Common Law Report was presented to his Grace, his only remark was, "Too much of it—too much of it—a d——d deal too much of it."

EXECUTIONS—At Tyburn were generally once a month.

OLIVER CROMWELL—Presented a petition to the legal collective wisdom of his day, praying "that a speedy consideration might be had of the great oppressions by reason of the multiplicity of unnecessary laws, with their intricacies and delays, which tend to the profit of some particular men, but much to the expense and damage of the whole." The Lord Protector, later in life, triumphed over every difficulty; but the lawyers gave him most trouble, and he was constrained at last to acknowledge they were too many for him.

AN OLD PROVERB.—That no man departs more from justice than those that administer justice.—*Nicias Erythæus.*

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A CONSOLATION.—

Oh, think not your pleadings are really so sly,
And as free from a flaw as they seem to you now,
For believe a demurrer will certainly lie,
The return of to-morrow will quickly show how!
No, all is a waste of impertinent reading,
Which seldom produces but quibbles and broils,
And the lawyer who thinks he's the nicest in pleading,
Is the likeliest by far to be caught in its toils.
But, brother attorney, how happy are we!
May we never meet worse in our pilgrimage here,
Than the flaw a demurrer can gild with a fee,
And the fee that a conscience can earn from a flaw.

AN UNHAPPY FACT.—Peter M'Cloud, aged fifteen, was hanged at Tyburn, May 27th, 1772, for housebreaking.

JUDICIAL CORRUPTION.—The system took its rise very early in England, for we find King Alfred caused forty-four Justices in one year to be hanged as murderers for their false judgments.

"He hanged Cadwine, because that he judged Hackery to death without the consent of all the jurors; and whereas he stood upon the jury of twelve men, and because three would have saved him against the nine, Cadwine removed the three, and put others upon the jury, upon whom Hackery put not himself.

"He hanged Cole, because he judged Ive of death, when he was a madman.

"He hanged Athelston, because he judged Herbert to death for an offence not mortal.

"He hanged Horne, because he hanged Simon at days forbidden.

"He hanged Therborne, because he judged Osgot to death for a fact whereof he was acquitted before, against the same plaintiff, which acquittance he tendered to own by oath, and because he would not own it by record, Therborne would not allow of the acquittal which he tendered him.

"He hanged the Suitors of Cirencester, because they kept a man so long in prison that he died in prison, who would have acquitted him by foreigners that he offended not feloniously." It is a singular fact in Alfred's time the judges used to take twelve-pence from every plaintiff."

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EPITAPH ON WILLIAM SHAW, AN ATTORNEY.—

Here lies William Shaw,
An Attorney at Law ;
If he is not blest,
What will become of the rest ?
St. Bartholomew, London.

ENGLISH CRIMINAL CODE.—The English criminal code includes a list of nearly two hundred offences punishable with death ; of these, more than one half have been added during the last century. Upon an average, every year of that period has been marked by a penal enactment ; besides those occasions in which the Legislature, as if tired of the tedious retail method of confining one capital denunciation to a single statute, have actually heaped together fifteen or twenty of such enactments in one heterogeneous mass.

There is one case in which, in the same paragraph, nineteen are thus huddled together ; one is for civil trespass to the value of sixpence, and another for the worst species of murder.—*Percy.*

LORD CHANCELLOR COWPER.—His lordship was remarkably handsome, and much given to the society of the fair sex.

'Twas, sir, your law, and yr— sir, your eloquence,
Yours Cowper's manner, and yours, Talbot's sense.
Pope, Imit. Hor. Book II., Epis. 2, *L.* 133.

He was a scholar, which was apt to deceive the unwary, and sometimes to deceive himself. In the early part of his judicial career, he married, without the forms of law, Mrs. Elizabeth Culling, by whom he had two children.

PUNISHMENT FOR FORGERY.—Japhet Crook about noon on June 9th, was brought to the pillory at Charing Cross, according to his sentence for forgery. He stood an hour thereon ; after which a chair was set on the pillory, and he being put thereon, the hangman with a sort of pruning-knife cut off both his ears, and immediately a surgeon clapt a styptic thereon.

Then the executioner, with a pair of scissors, cut his left nostril twice before it was quite through, and afterwards cut through the right nostril at once. He bore all this with great fortitude; but when, in pursuance of his sentence, his left nostril

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was seared with a red-hot iron, he was in such violent pain, that his left nostril was left alone, and he went from the pillory bleeding.

He was conveyed thence to the King's Bench Prison, there to remain for life. He died in confinement about three years after.

A JUDGE HANGED.—One Chief Justice was hanged at Tyburn, in 1389, by the Barons, who were at variance with his lordship's legal views.

POPHAM.—The Lord Chief Justice Popham while a Law student in the Middle Temple, was in the habit of frequenting Shooter's Hill—at that time rather a fashionable amusement. His wife, however, reclaimed him. He died immensely rich.

COKE.—His Lordship was like Jack Wilkes, returned for two counties at the same time.

HALE.—Sir Mathew Hale hanged (1668) two poor old women for witchcraft. He was very untidy in his dress. In his old age he married his maid-servant.

SAUNDERS.—Chief Justice Saunders was corpulent in his person, drinking at times beer on the bench, and occasionally brusque to every one who sat near him. His constant abode was with an old tailor near Temple Bar.

The Chief Justice was very fond of playing jigs upon a virginal. He left the tailor his executor.

THERE is little attraction to the ordinary reader in the private history of the Ryders, Wilmots, Parkers, Thurlows, Pratts, Raymonds, Lees, Mansfields, &c.

OFFENCES PUNISHED BY DEATH.—Capital crimes by the laws of England amount to about two hundred and twenty-three. Of these, six were so made in the course of the 150 years that elapsed from Edward III. to Henry VII.; thirty in the next 150 years, from Henry VIII. to Charles II., and one hundred and eighty-seven in the last 150 years. Taking another view of these enactments, four of these offences were made capital under the Plantagenets, twenty-seven under the Tudors, thirty-six under the Stuarts, and one hundred and fifty-six under the family of Brunswick.

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More offences were made capital during the single reign of George III. than during the reigns of all the Plantagenets, Tudors, and Stuarts put together.

"Scarce can our fields, such crowds at Tyburn die,
With hemp the gallows and the Fleet supply."

EPITAPH ON AN ATTORNEY.—

Here lies Johnny Hill,
A man of legal skill,
His age was five times ten :
He ne'er did good,
Nor ever would,
Had he lived—as long again.

LEGAL INCONSISTENCY. — Few subjects have excited greater complaint than the inconsistency of the English Criminal Law.—*Newgate Calendar.*

A JUDICIAL INSTANCE.—A few years ago, two men were detected stealing two fowls in Suffolk. One of them was arrested on the spot; tried and convicted. The Judge not thinking the crime of any serious magnitude, sentenced him to three months' imprisonment.

The other man arrested some time afterwards, and convicted of the same offence at the ensuing Assizes, was sentenced to fourteen years' transportation. It so happened, that of these two men, the one was leaving his prison after the expiration of his punishment, at the time the other was setting out for Botany Bay to undergo his.

BOTANY BAY.—So numerous have been the sentences of transportation to this spot, that in a period of less than twenty years there were transported upwards of twenty thousand human beings, of all ages and both sexes, to work in chains from sunrise to sunset.

THE CORRUPT INTERESTS OF LAWYERS IN THE COMMONWEALTH OF ENGLAND.—It appears the military at this period threatened to reform the Courts of Justice, the "soldiers" having "a great spleen" to the lawyers, insomuch that they threatened to hang up their gowns among the Scots' colours in Westminster Hall; but their chiefest aim is at the regulation of the Chancery, for they would have the

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same tribunal to have the power of justice and equity, as the same apothecary's shop affords us purges and cordials.—*Howell.*

AMERICAN LAW CHARGES.—Three Milwaukee lawyers having put in bills amounting to 25,000 dols. for services in settling an estate valued at 32,000 dols., the judge made the following remarks:—"You have charged 25,000 dols. for sixty days' service. These charges are too high. They are such as men ought not to make. This charge of 15,000 dols. is cut down to 1500 dols.; those of 5000 dols. each to 500 dols. Do not make such charges again, as they bring justice into disrepute.

THE LAW OF ENGLAND—Is the greatest grievance of the nation.—*Burnet.*

ON LORD CHANCELLOR SHAFTESBURY.—

For close designs, and crooked counsels fit,
Sagacious, bold, and turbulent of wit;
Restless, unfixed in principles and place;
In power unpleased, impatient of disgrace;
A daring pilot in extremity,
Pleased with the danger when the waves ran high,
He sought the storms; but for a calm unfit,
Would steer too near the sands to boast his wit.
In friendship false, implacable of hate,
Resolved to ruin or to rule the state;
Then seized with fear, yet still affecting fame,
Usurp'd a patriot's all-atoning name.

DR. DODD AND FORGERY.—The recent hanging of the Perrans for forgery left Dodd no chance. Besides which, at this very time, a woman had been branded, and a man executed for washing a halfpenny, so as to make it pass for a shilling, and every session saw strings of men and women hung up for far lighter offences than Dodd's. Dodd himself reckoned 150 capital offences. Twenty-three years later, a more exact authority numbered above 160 different offences which subjected those found guilty to the penalty of death without benefit of clergy.

PUNISHMENT OF WOMEN.—Women convicted of high treason were usually sentenced to be burnt, but by the mercy

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of the law they were first tied to the stake, and strangled before they were ignited. Catherine Hayes, however, from some mismanagement, was actually burnt alive.

AN AXIOM.—Excessus in jure reprobatur—"All excess is condemned by the law." Whatever the law ordains must be within the rules of reason. Thus the law awards liberal, but by no means excessive punishments.

HANGING OF CHILDREN.—Joseph Wood and Thomas Underwood were condemned to death for stealing, neither being fourteen years of age, and the prosecutor no more than twelve. The judge, declaring it was necessary for the "public safety" and an example to other "little boys" to cut them "off," they were accordingly executed at Newgate, July 6th, 1791. A few weeks after, another child, hardly fifteen (John Mead), was brought to the gallows, for purloining *1s. 6d.*

A QUOTATION.—"Et qui nolunt occidere quemquam posse volunt"—"Even those who do not wish to kill a man, are willing to have that power."—*Juvenal.*

LAWS.—Habits of violating the laws are engendered by the creation of artificial offences. A re-modelling of the laws should take place so as to bring the Statute Book as nearly as possible into the coincidence of justice, so that while it is a code of municipal law, it may also serve as a manual of morality.—*F. Hill on Crime.*

AN ANCIENT LEGAL OPINION.—"Et errat longe meâ quidem sententia, qui imperium credit gravius esse aut stabilius, vi quod fit, quam illud quod amicitiâ adjungitur"—It is a great error to suppose that laws are more firm when supported by severity, than when they exist by mercy and voluntary obedience.

JUSTICE AMONG SQUIRES.—If gentlemen cannot breathe fresh air without injustice, let them live in Cranborne Alley. Make just laws, and let squires live and die where they please.—*Sydney Smith.*

A MELANCHOLY TRADE.—One said a hangman had a contemplative profession, because he never was at work but he was put in mind of his end.

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PUNISHMENTS.—"Habet aliquid ex iniquo omne magnum exemplum, quod contra singulos, utilitate publicâ rependitur." Every example of punishment has in it a tincture of cruelty and injustice; but the sufferings of individuals are supposed to promote the public good.—*Tacitus.*

LAW AND JUSTICE — Cost a fair sum, even in these ticket-of-leave days; courts cost about a million and a half. The amount paid in judicial salaries is still large; though the Chief Justice of Tortola receives only 178*l.* a year, and his learned brother, the Chief Justice of Anguilla, draws but 100*l.* per annum from the British treasury.

GORDON RIOTS.—Among the rioters was no less a legal personage than "Jack Ketch," whose real name was Edward Dennis; he was pardoned in order that he might hang up his brother rioters.

ON SIR JOHN LEACH "RATTING."—

The leach you've just bought should first have been tried,
To examine its nature and powers,
You can hardly expect it will stick to your side,
Having fallen off so lately from ours.

THE COMPLAINT OF JACK CADE—Was that of the common folk in his days: "Is not this a lamentable thing, that of the skin of an innocent lamb should be made parchment? that parchment scribbled o'er should undo a man?" His first command, as Shakespeare has represented it, was, "Now go some and pull down the Inns of Court;" and so effectually did his followers execute this behest, that they burnt the Temple with its libraries, and practised the last solemn rites of the law upon all students and "practisers" that they could meet with.

EPITAPH ON AN ATTORNEY.—

You'd have me say, Here lies T. V.,
But I do not believe it:
For after death there's something due,
And he's gone to receive it.

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UNDUE SEVERITY—As an instance, the sentence on a poor young woman was brought forward, whereby she was transported for having in a sort of jest stolen one of her companion's bonnets ; she after a considerable time passed in captivity, made her escape, with some daring exiles, to the port of Timor, in China, in an open boat, after a passage of several thousand miles through a most stormy sea, and enduring the most unparalleled suffering.—*Debate on the Private Stealing Bill,* 1808.

A SHARP PROCESS OF LAW.—A cobbler of Highgate was seen in mourning on the king's birthday, for which he was whipped up Highgate Hill and down again.

To fulfil the next part of his punishment, the cobbler was taken to Newgate, to which locality he was condemned for a year. People in those days went to see prisoners in Newgate, as they did the lions in the Tower or the lunatics in Bedlam.

AN ITALIAN BURYING-PLACE.—In Rome the victims of the law are buried in a church appointed for that purpose. The women are buried in the middle of the pavement, the men in the side porticos. The latter are interred in the same dress in which they are hanged.

Some humane hand has inscribed on the porch the following brief but touching prayer :—

"Domine, cum venis judicare,
Noli nos condemnare."

(O Lord, when Thou shalt come to judge, do not Thou condemn us.)

EPITAPH ON A LAW SCRIVENER.—

Here to a period is the scrivener come,
This is his last sheet, his full point this tomb.
Of all aspersions I excuse him not,
'Tis known he lived not without many a blot ;
Yet he no good example show'd to any,
But rather gave bad copies unto many :
He in good letters hath always been bred,
And hath writ more than men have read.

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He rulers had at his command at law,
And though he could not hang, yet he could draw.
He far more bondmen had, and made, than any,
A dash alone of his pen ruin'd many.
That not without good reason we might call
His letters great or little capital:
Yet is the scrivener's fate as sure as just,
When he hath all done, then he falls to dust.

A MOURNFUL PROCESSION.—

The City Constables,
Town Officers, bare-headed;
Bailie Lothian and Bailie Dalrymple;
Reverend Principal Baird;
Mr. Sheriff Clerk and Mr. Sheriff Davidson,
with white rods, and white gloves
on their hands;
A number of County Constables;
The Hurdle.
Painted black, and drawn by a white horse.
At one end Mr. Robert Watt, with his back to the horse;
Opposite, with a large axe in his hand, sat
The Executioner.

15th Oct., 1794.

WORK OF MAGISTRATES AND JUDGES—Is a continual regrinding of the same limited materials; and the cost of our criminal procedure is far more than sufficient to furnish handsome pensions to all the criminals in the country.

F. Hill on Crime.

MR. WILLIAM WYNNE RYLAND—An engraver of extraordinary ability, was convicted on very doubtful evidence of forgery, and condemned te be hung on the 29th of August, 1783. This unfortunate and talented man was the last victim who suffered death at Tyburn.

TWO LEGAL KNOTS.—

If 'tis to marry when the knot is tied,
Why then they marry who at Tyburn ride;
And if that knot till death is loosed by none,
Why then to marry and be hanged 's all one.

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THE ADVOCATE.—Counsellor or Barrister in English. Latin summary: Jurisconsultus sive bicaudis garrulus, animal omnino singulare; vultu pallido, calloso, tristi attamen procaci; tergore nigro, fluxo, anguino, quod exuit sponte suâ; mirabiliore autem cæsarie, albâ, pulverulentâ, intortâ quasi calamistro, bicaudi, quam simul expeditiusque deponit.

Ingreditur, potiusve sedet, gregatim; et incidens in folia quædam papyri pertenuia, anglicè dicta bank notes-sive fees, celat in perula instanter; exultatque in pedes posteriores, garritque gesticulaturque modo simiæ caudatæ.

This is a very singular animal, chiefly remarkable for its having two tails at the back of its head, and for its being moved by the touch of certain thin leaves of the papyrus, or paper-tree, to get upon its hind legs, and utter a long discordant gabble. Its skin is black, hangs loosely about it, and can be cast by the animal at pleasure like that of a snake. What is still more extraordinary, it has this faculty also with regard to its two tails, and the pallid hairy kind of rug to which they are attached. The rug resembles the natural peruke of certain monkeys, or rather the curled rug which is left on the hind-quarters of a dog. When it casts its outer skin, it generally appears in a closer one of the same colour; and some of the old Bicauds when they cast their rug and two tails, produce another from beneath like a pig's. But this latter species is going out.

The face is generally pale, and like some of the larger tribe of monkeys, thoughtful and melancholy. A pert character is usually observable in it, and even a hardness and want of feeling; though when young, and before its two tails are grown, and occasionally some time afterwards, it is often a sprightly creature. We have known some, who have little resemblance, however, to the rest of the species, exhibit a lively emotion at hearing poetry, and even at the sight of sculpture, and these will also roam about the fields with a mixed gravity and vivacity, like colts come to years of discretion.

The Bicaud further resembles the monkey in being gregarious. Young and old assemble in different places every morning, before two or three aged ones, whose skins are bordered with ermine, and whose tails have grown to a size like African sheep, and hang forward on each side of their faces.

The whole sight is very ridiculous, and resembles the well-known phenomenon of a council of crows. Some unfortunate animals, when they have been caught trespassing on

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their premises, are brought in, as if to be judged; and one two-tailed gabbler gets up at a time on his hind-legs, and appears to reason on the subject, making strange grins and gesticulations. Sometimes he seems to laugh; sometimes he raises his eyebrows as if in astonishment; sometimes tosses his skin and two tails about in all the heat and flutter of an angry fine lady; and every now and then he turns over certain thicker leaves of the papyrus, of which there is always great plenty on the spot. All this looks as if something really were meant; but it has been well ascertained, by innumerable and anxious experiments, that the Bicaud who gets up to gabble is influenced, not by any interest in behalf of the culprit or of reason, but by his having secretly touched some of those thin leaves previously mentioned, which he immediately conveys into a pouch on his right side, and the possession of which puts him into a sort of transport. All the rest, who have not been so lucky, remain sitting as gravely as possible, except when nothing appears to be going forward, at which time they are as noisy and apparently as mischievous as a forest of monkeys, or a school in the master's absence, chattering and mowing at each other the whole time, the younger especially.

It is to be observed of this cunning and melancholy animal that there is none which it is so difficult to get beyond the usual instinct, or what may be called habit and precedent of its species. It is also bolder and more like a man when it casts its outer skin, but the moment the latter is resumed, relapses into its characteristic timidity, especially in presence of the old ones, at whose slightest muttering it suspends its gabble, ducking and bowing, and drawing the air through its teeth, with an infinite gravity of deference. It seems to attract itself naturally to the rich and great; and, like most creatures of the anthropomorphite race, will sit at table, eat heartily, and drink more so, particularly wine, of which it is very fond.

It is also extremely amorous, though after a coarse fashion, and we have known it dangerous for women to go near some of the very oldest. The latter, when observed, put on aspects so prodigiously grave and devout, that the one whose skin in advanced age is marked with certain golden stripes, has been facetiously called Keeper of the king's conscience.

Leigh Hunt.

A DESCRIPTION OF LONDON.—

Warrants, bailiffs, bills unpaid,
Lords of laundresses afraid;

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Rogues that nightly rob and shoot men,
Hangmen, barristers, and footmen.
Lawyers, attornies, writs, physicians,
Noble, simple, all conditions:
Worth beneath a thread-bare cover,
Villainy bedaub'd all over.
This is London! How d'ye like it?

A COUNTY COURT—Was sitting a while ago; it was not far from winter, cold weather anyhow, and a knot of lawyers had collected around the old stove in the bar-room. The fire blazed, and mugs of flip were passing away without a groan, when who should come in but a rough, gaunt-looking babe of the woods, knapsack on shoulder and staff in hand. He looked cold, and half perambulated the circle that hemmed in the fire, looking for a chance to warm his shins. Nobody moved, however, and unable to sit down, for lack of a chair, he did the next best thing—leaned against the wall, and listened to the discussion on the proper way of serving a referee on a warrant deed, as if he was the judge to decide the matter. Soon he attracted the attention of the company, and a young sprig spoke to him, "You look like a traveller." "Wall, I s'pose I am; I come from Wisconsin afoot 'tany rate." "From Wisconsin! this is a distance to go on one pair of legs; I say, did you ever pass through the lower regions in your travels?" "Yes, sir," he answered, a kind of wicked look stealing over his ugly phiz, "I ben through the outskirts." "I thought it likely. Wall, what are the manners and customs there? Some of us would like to know." "Oh," said the pilgrim deliberately, half shutting his eyes, and drawing round the corner of his mouth till two rows of yellow teeth, with a mass of masticated pig-tail, appeared through the slit in his cheek, "you'll find them much the same as in this region—the lawyers sit nighest the fire."

A SCOTTISH PROVERB.—"That's Hackerston's cow, a' the tither way."

Hackerston was a lawyer who gave leave to one of his tenants to put a weak ox into his park to recruit; a heifer of Hackerston's ran upon the ox and gored him; the man tells him that his ox had killed his heifer. "Why then," says Hackerston, "your ox must go for my heifer—the law provides that." "No," says the man, "your cow killed my ox." "The case alters there," says he. Spoken when people alter their opinions when the case comes home to themselves.—*Kelly*.

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SCOTCH LAW.—"I'll do as the cow o' Forfar did—take a standing drink." Spoken when we come into company by chance, or refuse to sit down. A woman in Forfar set out her wort to cool, and a cow came by and drank it up. The owner sued for damages, but was acquit because the cow took but a standing drink.

ANCIENT LAW.—The history of Roman law from the XII. Tables to the legislation of Justinian covers a period of nearly a thousand years.

OBSERVATION OF THE HEAVENS BY LAW.—(Observare de Cœlo). A law or laws were enacted (B.C. 156) for the purpose of studying the heavens, to enable any of the superior magistrates to do this on the day on which either assembly met, and if they saw lightning to report to the presiding magistrates. Cicero regarded this legislation as a security against democratic tyranny (propugnacula et muros tranquillitatis et otii—*Cic. In. Pis.* 4), inasmuch as they put it within the power of any magistrate to stay the proceedings of popular assemblies. These laws were practically repealed or suspended by Clodius and Cæsar for obvious reasons.

EURIPIDES.—Many scenes in this poet have quite the form of law proceedings, where you have two persons as parties in the suit wrangling with each other, or pleading before a third person as judge, not confining themselves to the matter in hand, but fetching as wide a reach as possible, impeaching their opponent, and justifying themselves, and that with all the adroitness of bar-pleaders, and not seldom with the windings and subterfuges of pettifogging sycophants.

A TRUISM.—

Pleading at the law is like fighting through a whin bush,—
the harder the blows, the sairer the scarts.

THE COURT OF CHANCERY—Is well known to have taken its rise from the jurisdiction gradually acquired by the King's Chancellor, who for a long period was a priest, and trained rather in the civil and canon than in the common law.

NOLUMUS LEGES ANGLIÆ MUTARI—Was not an outcry of primitive conservatism, but a public repudiation of canon law or civil law rules as applicable to succession and marriage.

SIR M. HALE—Ordered a boy of ten years of age (1748)

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to be hanged. Two other little boys, about fourteen, named John Brown and Joseph Leech, were judicially put to death at Tyburn about the same period,—

Oh, what are these?
Death's ministers, not men, who thus deal death
Inhumanly to man, and multiply ten thousand fold the sin of him who slew
His brother; for of whom such massacre make they, but of their brethren—men of men?—

Paradise Lost.

A WOMAN WHIPPED FOR MARRYING HER OWN SEX.—Mary Hamilton, *alias* Charles Hamilton, *alias* George Hamilton, *alias* William Hamilton, was lawfully married to Mary Price. The learned quorum of justices,

In full-blown dignity of wigs,
Mounted on blocks, thus cogitated—

that he—she was an uncommon notorious cheat, and sentenced her or him to be imprisoned for six months, and during that time to be whipped in the towns of Taunton, Wells, and Shipton-Mallet.

He or she was imprisoned and whipped accordingly, in the winter of the year 1746.

A CHANGE.—Those who may be interested in English law, will observe that what would have been deemed meritorious in the reign of James the First became criminal in that of George the Third, thanks to the increasing humanity, good sense, and knowledge of the people.

A WOMAN BURNT ALIVE.—Amy Hutchinson was destroyed by fire according to law at Ely on the 7th of November, 1750. She was attended by a clergyman.

LEGAL REFORM.—The first practical measure for this desirable end was undertaken by L. Cornelius Sulla, B.C. 82.

UPON REPORT THERE SHOULD BE NO MORE TERMS KEPT AT WESTMINSTER.—

Is't possible? will no terms then prevail?
And must the gown and bag jog on to sale?
The bills and answers in our courts become
Converted to the tarring use of drum?
And shall no more confederacies pass
'Twixt midsummer and dying michaelmas?
Though they deprive us of old Hillary, (1)

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'Tis fit they should allow the trinity,
But that's denyed too: this alteration
Contracts our whole time to a long vacation.
Now farewell the brown (2) bowl and bonny ale,
The sanguine herring, and its merry tale;
Higgenian (3) quibbles, and the harpean lyre,
Fontonian sweetness, and the tow'ring lyre.
Our host and hostess, too, they're both uxorums,
As Hermophraditus is, in sex duorums:
Weep Heaven, lament thy loss, and thou Hell roar,
Thy furnace scarce, will ere be heated more;
Of Pleasure, Paradise, thou must be barren,
And Purgatory furnisht but with carrion:
Th' Abomination of the hole i' the wall,
Now june is past, cried pamphlets in the hall:
And she that's left but th' remnant of a nose,
Who to a chirurgion (as men do suppose)
Did pawn the other part for cure of this,
Turn zealot, and be martyr'd when she—
All lawes, and all societies lament
Your wants in us, you'le find cause to repent
The setting up your idol parliament:
For though on these terms they'le no profit give
To us, we'll try on other terms to live,

(1) An Attorney.
(2) The Scotch Ale-house in Harts'-horne Lane.
(3) Clerks of the Exchequer, that used to drink their mornings' draughts there.

CICERO—Whose mind was always diffuse and imaginative, shows in all his writings an impatience and scorn for all sorts of antiquated legal formalities; he indulges himself in deriding obsolete law ceremonials, and talks of the judicial systems as eating into the very flesh and bones of the Romans.

EPITAPH ON JOHN TROTT, A BAILIFF.

Here lies John Trott, by trade a bum;
When he died the devil cry'd—
Come, John, come.

LAWS OF EDWARD THE CONFESSOR—Every person of the age of twelve years ought to be sworn in a view of "Frankpledge," "that he will neither become a thief himself nor be any wise accessory to theft."

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This court was holden twice a year, which was afterwards reduced to once a year by Magna Charta.—*Briton.*

A TERRIBLE SENTENCE.—In 1833, sentence of death was passed on a child of nine, who had poked a stick through a patched-up pane of glass in a shop-front, and thrusting her little hand through the aperture, had stolen fifteen pieces of paint, worth twopence. This was construed into housebreaking; the principal witness being another child of nine, who told because he had not his share of the paint. However, this infant was not strangled.

THE BLOOD-BOLTERED JEFFERYS.—This execrable judge was as corrupt as he was cruel and cowardly, and is said to have received as large a sum as 14,500*l.* from one individual, whose life was in danger. So general was the practice of judicial corruption, that a member of the House of Commons (Mr. Booth), in moving that certain judges should be impeached, thus expressed himself: "Our judges have been very corrupt and lordly; taking bribes, and threatening juries and evidence, perverting the law to the highest degree, turning it upside down, that arbitrary power may come in upon their shoulders. The cry of their unjust dealings is great, for every man has felt their hand."—*Lord Delamere's Works.*

THE CIVIL LAW.—De laudibus legum Angliæ. Whereas by the civil law the king is above the law according to the doctrine, quod principi placet legis habet vigorem; in England the law is above the king.—*Fortescue.*

JUDICIAL BRIBES.—Lord Bacon, on Serjeant Hutton being appointed a Judge of the Common Pleas, thus solemnly cautioned him: that your hands, and the hands of your hands, I mean those about you, be clean and uncorrupt from gifts, from meddling in titles, and from serving of turns, be they great ones or small ones.

The following are some of the most remarkable bribes Lord Bacon took himself:—

Item: In the cause of Kenday and Valore, of Kenday a cabinet worth 800*l.*; of Valore, borrowed at two times, 2000*l.*

Item: In the cause between Hodie and Hodie, a dozen of buttons, after the cause ended, of the value of 50*l.*

Item: In the Lord Mountaine's cause, of the Lord Mountaine, and more promised at the end of the cause, 600*l.* or 700*l.*

Item: There being a reference from his Majesty to his

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lordship of a business between the Grocers and Apothecaries, he had of the Grocers 200*l.*; of the Apothecaries, beside a rich present of ambergrease, 150*l.*

Item: In a cause between Raynell and Peacock, 200*l.* in money, and a diamond ring worth 500*l.* or 600*l.*—700*l.* or 800*l.* in all.

Item: Of the French merchants to constrain the Vintners of London to take 1500 tuns of wine; to accomplish which he used very indirect means, by colour of his office and authority, without bill or other suit depending, as threatening the Vintners, for which he received of the merchants, 1000*l.*

Bacon's explanation was, that he took bribes to do justice, not to do injustice His pet name for bribes was New Year's gifts.

POOR LAWS AMENDMENT BILL—Has overturned the whole system of parochial relief, has disturbed all the best arrangements for the poor, and rendered everybody connected with the subject (always excepting the paid Commissioners) discontented and dissatisfied.—*Theodore Hook.*

LAW.—Laws are like grapes, that being too much pressed yield a hard and unwholesome wine.—*Eliza Cook.*

A LAWYER AND HIS NEW BOY.—A lawyer took in a new boy the other day, and as he had suffered to some extent from the depredations of the former one, he determined to try the new boy's honesty at once. He therefore placed a note of 5*l.* value under a weight on his desk, and walked out without a word. Upon his return half an hour later, the note was gone and half a crown in silver had taken its place. "Boy! when I went out I left 5*l.* under this weight." "Yes, sir; but you see, you hadn't been gone five minutes when a man came in with a bill against you for 4*l.* 17*s.* 6*d.* I guess the change is correct." "You paid a bill?" "Yes, sir, there it is all receipted. The man said it had slipped your mind for the last four years, and so—" He did not get any further before he was rushed for the stairs. That boy is not in the law business any more.

LEX IMPERII.—Much light was thrown upon this law by the discovery of the terms of it, as it would seem, on a brazen tablet at Rome, in 1342, during the pontificate of Clement VI.

OF THE PROCTOUR OF ARCHES THAT HAD THE LYTEL

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WYFE.—One askyd a Proctour of Arches, lately before maryed why he chose so lytel a wife; whiche answered: because he had a text, sayenge thus: ex duobus malis minus est eligendum (1), that is to saye in englyshe, among euyll thinges the leste is to be chosen.

(1) Orig. reads: ex duobus malis minus malis.

MR. JAMES TOWNSEND SAWARD—Known to his confederates as Jim the Penman, Barrister-at-Law, Inner Temple, 1840, executed many clever and excellent forgeries; in one case even succeeding in obtaining thereby a large sum of money from an attorney. This gentleman at the age of fifty-eight was transported for life.

AN OATH.—By a statute of James I. of Scotland, every advocate was ordered to take the following oath:—

"Illud juretur, quod lis sibi justa videtur,
Et si quæretur, verum non inficietur,
Nil promittetur, nec falsa probatio detur,
Ut lis tardetur, dilatio nulla petetur."

ENGLISH TREASON STATUTES—Relating to the civil list and Coronation Oath, were often passed on a king or queen's accession, in a special form peculiar to the reign, but in close conformity to precedent, and worded according to a familiar type.

FAUNTLEROY'S COMPANIONS IN DEATH. 1823-24.—Nov. 1824.

Recorder's Report.—At Carlton Palace, the Recorder made his report to the King in Council of the prisoners under sentence of death in Newgate, who were convicted at the Old Bailey, October Sessions, namely, John Cook, *alias* Cook, *alias* Cookson, 16; Henry Ferris, 17, of burglary; William Oliver, 15; William Moore, 19, of highway robbery; William Dalton, 15, of housebreaking; Henry John Wells, 17; Evan Williams, 48; James Adams, 15; Ann Williamson, 14; Bridget Polley, 52; Henry Lee, 16; John Passenger, 10, of larceny in a dwelling-house; and Henry Fauntleroy, 40, of forgery.

His Majesty was graciously pleased to respite, during his royal pleasure, all the above-named convicts, excepting Henry Fauntleroy, upon whom the law was allowed to take its course.

ADMINISTRATION OF JUSTICE.—In the Common Law

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tribunals the imperfections are glaring and numerous, but many of them are corrected by the interference of the Courts of Equity. In the Ecclesiastical Courts, though little real business is done, though a routine of forms makes so great a part of their occupation, expense is carried to the most enormous height. In the Admiralty Courts, if the extortion is quite as great, that which is done has at least more of the air of real business. In the Court of Chancery the abuses are so great, the case is hopeless.—*Annual Register.*

CIVIL CODE OF LOUISIANA—Is probably the most complete code in existence, originally composed in the English language, and based on the principles and terminology of the Roman law. Louisiana was ceded by France to Spain by the treaty of 1762.—*Amos.*

A FINE.—One Morley was fined 10,000*l.* for reviling, challenging, and striking, in the Court of Whitehall, Sir George Theobald, one of the king's servants. This fine was thought exorbitant; but whether it was compounded, as was usual in fines imposed by the Star Chamber, judicial history does not inform us.—(1634).

HUNG BY MISTAKE.—Richard Coleman went through this operation at Kennington Common, on the 12th of April, 1749, with great resignation, lamenting only the distress in which he should leave his wife and two children. Oddly enough, the right man met a similar end, some time after. A woman's evidence destroyed the first-named victim.

EPITAPH ON HUGO GROTIUS, more properly Hugo de Groot, written by himself.—

> "Grotius hic Hugo est Batavum captivus et exul,
> Legatus regni Suecia magnatui."

However correct his views on law may have been, his ideas about religion, according to the following epigram by Menage, appear to have been slightly mixed :—

> Smyrna, Rhodos, Colophon, Salamis, Argos, Athenæ,
> Siderei, certant vatis de patria Homeri.
> Grotiadæ certant de religione Socinus,
> Arrius, Arminius, Calvinus, Roma, Lutherus.

SULLAN LEGISLATION.—The whole body of the Sullan ordinances as to the quæstiones, judicial commissions,

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may be characterized as the first criminal Roman code ever issued.

POLITICS.—Half the Whig roguery of London went down to Brentford in May, 1716, to see a well-to-do Tory butcher whipped at the cart's tail, by the common hangman, from Brentford bridge round the market-place; however, being allowed refreshment, the cart going so fast, and the lash so slow, the sight was not worth seeing.

JUVENILE EXECUTIONS.—In 1568, a child was beheaded for having struck her parents; another lad of sixteen was also sentenced to death for only threatening to strike his mother.

A CORONER'S INQUEST.—

Poor Peter Pike is drown'd, and neighbours say
The jury mean to sit on him to-day.
"Know'st thou what for?" said Tom. Quoth Ned,
"No doubt,
'Tis merely done to squeeze the water out."

TRIAL OF THE DEAD.—In Egypt, the moment a man died he was brought to judgment. The public accuser was heard. If he proved that the conduct of the deceased had been bad, his memory was condemned, and he was deprived of burial.

THE DIVISION OF JUSTICE.—

John Hobbs, for partridge snaring, was dragged to the squire,
The magistrate flamed, but the statute hung fire;
"Burns states," says the clerk, "that treadmill will do,
For two months, if the culprit's convicted by two."
"Two months and two magistrates; is it alone?—
Well, clerk, we must halve it—commit him for one!"

THE LAW'S DELAY.—A few years ago a cargo of ice was imported into this country from Norway. Not having such an item in the Custom House schedules, application was made to the Board of Trade, and after some delay it was decided that the ice should be entered as dry goods, but the whole cargo had melted before the doubt was cleared up.

LENGTH OF THE LAW.—Some faint idea of the bulk of the English records may be obtained by adverting to the fact that a single statute, the Land Tax Commissioners' Act, passed in the first year of George II., measures, when unrolled, upwards of 900 feet, or nearly twice the length of St. Paul's

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Cathedral within the doors, and if it should become necessary to consult the fearful volume, an able-bodied man must be employed in coiling and uncoiling its monstrous folds during three hours.

THE LAW OF GIBBETS.—One was ordered by the Judge of Assize to be hanged in chains; the officers hanged him in privato solo; the owner brought trespass; and upon Not Guilty, the jury found for the defendant, and the court would not grant a new trial, it being done for convenience of place, and not to affront the owner.

SPARKS *v.* SPICER.—Mich. 10, W. 3 per Holt, Chief Justice. If a man be hung in chains upon my land, after the body is consumed, I shall have the gibbet and chain. Said upon a motion for a new trial.—*Lord Raymond.*

THE LAW OF GIBBETS EXEMPLIFIED.—

Mr. G. Griffiths, attorney-at-law, purloined some monies belonging to the High Court of Chancery. He died a penitent at Tyburn, the 1st of August, 1700.

Mr. Edward Jefferies, attorney-at-law, had a mishap, whereby his sword went through another gentleman's body. He departed this life at Tyburn, 19th September, 1705. During the necessary legal proceedings he betrayed no symptoms of fear.

Mr. Richard Nolde, attorney-at-law. This gentleman mistook his wife's friend for his own, and in a short struggle with the proper owner, his sword punctured his left breast with fatal results. A reprieve being allowed of a few days to settle his spiritual and temporal concerns, he died in peace by the aid of the law at Kingston on the 28th of March, 1713, with Christian resignation.

Mr. Arundel Cook, barrister-at-law, of the Inner Temple, unfortunately was in too great a hurry to possess his brother-in-law's property, Mr. Crisp, and in order to do so, paid a man ten shillings to remove him. Lord Chief Justice King, failing to take the same view of the matter as Mr. Cook did, the latter gentleman retired from this earthly scene at four o'clock on the 5th of April, 1722, by the assistance of the law.

"Remember, O my friends, the laws, the rights,
The generous plan of power delivered down
From age to age, by your renowned forefathers:

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O, let it never perish in your hands;
But piously transmit it to your children!

Mr. Thomas Athoe, a member of the law, in a slight difference of opinion about some property with Mr. George Merchent, settled the matter without the law, by tapping him on the head with severity sufficient to have killed seven men, the consequence of which was, that a cart conveyed him to the tree on Friday, the 5th of July, 1723, at St. Thomas's Watering, Surrey, about eleven o'clock in the morning.

"We must not make a scarecrow of the law,
Setting it up to fear the birds of prey,
And let it keep one shape, till custom make it
Their perch, and not their terror."

Shakespeare.

Mr. Christopher Layer, counsellor-at-law, of the Inner Temple, took it into his head to murder the reigning sovereign. In a weak moment he revealed his intentions to two female acquaintances. This egregious folly brought him before Sir John Pratt, Lord Chief Justice, and although defended by two brother lawyers for sixteen hours, that excellent gentleman could not see his way out of the difficulty except by the aid of the law, which was carefully effected at Tyburn on the 15th March, 1723. Mr. Christopher Layer was got up for the occasion in a suit of black, fully trimmed, and a tie-wig.

Mr. Thomas Carr, attorney-at-law of eminence in the Temple, was a religious man, and the vestry clerk of St. Paul's Parish, Covent Garden, a very respectable office. On the 15th of October, 1737, he accidentally relieved Mr. William Quarrington of ninety-three guineas and a diamond ring at the Angel and Crown Tavern, near Temple Bar, for which mistake the law sent him to Tyburn by coach on the 18th of January, 1738. Thirteen other individuals were sent on the same errand, so he departed remarkably composed, and in good company.

Mr. Oliver Bodkin, student-at-law, Dublin, appears to have been of a festive turn of mind, and, being in want of more money than his father would give him, he began to entertain sentiments of dislike towards the members of his family, which ended in the following episode. Having engaged three other gentlemen of the same way of thinking as himself, they proceeded one evening to his father's house, and removed by force the father, mother, and one child; then going to the

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kitchen, they killed three maid-servants; the men they also sacrificed, eleven persons in all; the dogs and cats in the house were also murdered. The law removed this facetious gentleman by the aid of a gibbet at Tuam, 25th March, 1742.

Mr. George Lancaster, attorney-at-law, being slightly pressed for money, forged a seaman's will (one Hugh Price). For this unfortunate misunderstanding he was turned off at Tyburn on the 16th of November, 1747, but being in a delicate state of health at the time, he was unable to address his surrounding constituents.

THE OBJECT OF LAW.—The object of law is to carry into practical effect that sense of right which is felt, if not by all, at least by the vast majority of the individuals of a community.

FEMALE PUNISHMENT.—On the 14th March, 1817, a woman of the name of Grant was flogged through the streets of Inverness for bad behaviour on the streets. No doubt a reproof was necessary, yet public flagellation on the naked body of a woman is revolting to our idea of decency and humanity, and we doubt whether such an exhibition is calculated to amend our morals; in this case the victim was young and very handsome. She bore her sentence with the utmost fortitude.—*Aberdeen Journal.*

CIVIL LAW.—For many centuries the civil law has been hidden away among the rites and ceremonies of the immortal gods, and was known to the Pontifices alone. But when L. Flavius, a freedman's son and a scribe, to the great indignation of the patricians, had been made Curule Ædile, he not only published the civil law, but set up in the forum notices of the days proper for legal business.—*Valerius Maximus, Livy, Cicero, and Dionysius.*

SANCTUARY LAWS.—Launceston was one of the eight towns in England granted privileges of sanctuary for life, for all offences except rape, murder, arson, highway robbery, burglary, and sacrilege, up to the abolition of this custom in James I.'s reign.

FORCE.—Force is the physic of law, not its proper sustenance, and it is very doubtful whether law could ever have been reared and brought to maturity if its only food had been the physic which so many prescribe for it.—*Savigny.*

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PRIMITIVE PROPERTY.—Cæsar remarks that the Germans applied themselves very little to agriculture, "agriculturam minime student," and that they never cultivated the same land two years together. The magistrates who annually allot to the several families the share which comes to them, pass from one part of the territory to another. Tacitus tells us the same thing. "Arvas per annos mutant et superest ager"—they cultivate fresh lands each year, and there always remains a portion undisposed of.

FORCE OF LAW.—It is by the tedious path of the development of customary law that force has disciplined itself and has attained to law.

SABBAOTH LAWS.—The Saints and Sinners.—

Magistrate. So, you wicked old cobbler, you are brought here again for breaking the Sabbaoth.

Cobbler. Yes, your worship, and if I don't break the Sabbaoth, the Sabbaoth will break me.

Dialogue from Joe Miller.

The poor man's faults are glaring,
In the face of ghostly warning,
He's caught in the fact of an overt act,
Buying greens on a Sunday morning.

A CLERICAL ERROR.—William Townley was executed on Saturday, March 23rd, 1811, at the new drop before Gloucester gaol, and had been suspended about twenty minutes when a reprieve arrived. Some legal official directed it to the Sheriff of Herefordshire instead of Gloucestershire by mistake. Mr. Bennett, of the hotel, sent it off by express at his own expense, but it arrived twenty minutes too late.

ON AN ATTORNEY.—

Here lies one who for med'cines would not give
A little gold, and so his life he lost;
I fancy now he'd wish again to live,
Could he but guess how much his funeral cost.

LAW.—The very word conscience, on which right so much depends, is only another term to express consciousness, and a man differs from a machine in this, that the one has a law in itself, is moved *κατὰ λόγον*; the other is moved *μετὰ λόγου*, has the law both in and for himself.—*Aristotle.*

RETORT LEGAL.—

"What with briefs and attending the court, self and clerk,
I'm at my wits' ends," muttered Drone the attorney.

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"I fear 'tis a medical case," answered Spark,
"You're terribly tired by so little a journey."

FRATERNAL AMENITIES.—Mr. Charles Scoldwell, a servant of the law, at the age of forty-one was transported for ten years for stealing two live tame ducks, at the Old Bailey, July 23rd, 1796. Mr. John Lamley, for stealing a pint pewter pot from the Cart and Horse, Tooley Street (1810), to three months' hard labour, and to be publicly whipped once during that time from the end of Horsemonger Lane to the end of Lant Lane in the Borough.

JURISPRUDENCE.—Jurisprudence is the science of law, or of justice, but not of both.—*Professor Holland.*

ON A MAN HANGED AT NEWGATE.—
One morn two friends before the Newgate drop,
To see a culprit throttled chanced to stop;
Alas! cried one, as raised in air he spun,
That miserable wretch's race is run.
True, said the other dryly, to his cost
The race is run, but by a neck 'tis lost.—*Punch.*

LAW.—A sovereign may make laws with direct reference to utility, and enforce them against the conscience or opinion of the people. Law is made in accordance with public opinion, and this may or may not have been formed to the principle of utility. Here, if anywhere, we may use the motto, "Vox populi, vox Dei."—*Austin.*

EXECUTIONS.—The three last witches put to death in England were three poor old women of Bideford,—Mary Trembles, Temperance Loyd, and Susannah Edwards. They were done to death at Exeter in 1682.

THE FUSION OF LAW.—The fusion of law and justice has never been complete, but it was more nearly attained when Roman law was imposed upon Germany, than when Norman law was imposed upon England, or English law upon Ireland.

A SPIRITUAL DELUSION.—The church at Padstow contains a Norman font. An extraordinary belief existed that those baptized in the font would never be hanged. However, the law dissipated this idea by swinging one Elliot for a mail robbery.

THE OBJECT OF LAW.—The object of law is to regulate

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the relations existing between men in such a way as to satisfy the sense of right residing in the community.

Lightwood.

ON THE ROYAL MARRIAGE ACT, 1772.—

Quoth Dick to Tom, "This Act appears
Absurd, as I'm alive ;
To take the crown at eighteen years,
The wife at twenty-five.

The mystery how shall we explain ?
For sure, as well 'twas said,
Thus early if they're fit to reign,
They must be fit to wed."

Quoth Tom to Dick, "Thou art a fool,
And little know'st of life,—
Alas ! 'tis easier to rule
A kingdom than a wife !"

LAWS UPON EATING.—All Spartan citizens were enjoined to eat together without distinction. Every man, even kings themselves, were subjected to a fine if they should violate this law by eating at their own houses. Their diet was plain, simple, and regulated by the law, and distributed among the guests in equal portions.—*Lycurgus.*

LAW OF TITHES.—The first-fruits, primitiæ, or annates, were the first year's entire profits of a living, or other spiritual preferment, according to a valuation made under the direction of Pope Innocent IV. by Walter, Bishop of Norwich, in 1254 (38 Henry III.), and afterwards increased during the pontificate of Nicholas III. in 1292 (20 Edward I.). This last valuation is still preserved in the Exchequer. Tenths or decimæ, were the tenth part of the annual profit of such preferment, according to the same valuation, claimed also by the Popes under no more valid title than the command to the Levites contained in Numbers xviii. 26.

OLD CRADLE *v.* PATENTED SELF-ROCKER.—

Attornies for Plaintiff—All the cherished memories of the past.

Attornies for the Defendant—All the humbugs of the present.

For Jury—The good sense of all Christendom.

Crier—Open the court and let the jury be empanelled.

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RULES.—In Rome the making of judicial rules was the work of the prætor and the jurist. In England it has been hitherto the work of the Court of Chancery.

PUNISHMENTS.—Truth must always be extracted by the law, so bring forth without delay the instruments of torture. Fire and the wheel. Achilles Tatius also mentions these were used by the Greeks for the purpose of extorting confession.—*The Golden Ass of Apuleius.*

PORTGRAVES—Or Portreves, which name is compounded of the two Saxon words, Porte and Gerese, or Reve-Porte, betokeneth a Towne, and Gerese signifieth a guardian, ruler, or Keeper of the Towne. These Governors of old time with the Lawes and Customes within the Cities and Townes, were registered in a Booke, called the Doomes-day Booke, written in the Saxon Tongue ; but of later dayes, when the Lawes and Customes were changed, and for that also the Booke was of a small hand, sore defaced, and hard to be read or understood, it was lesse set by, so that it was imbezeled and lost. —*Robert Fabian.*

THE THURIAN CODE.—Charondas, in order to check capricious innovations in his Thurian laws, ordained that whoever should propose any alteration in them, should remain in public with a rope about his neck, till the people had formally decided upon its adoption or rejection.

In the latter case, the rope was tightened, and the reformer strangled. It can be scarcely necessary to observe that few alterations were proposed. Only three instances are recorded by the Greek historians ; and of these, but one refers to criminal legislation.

EPITAPH ON MR. FLINT, AN ATTORNEY.—

Beneath this stone lies Lawyer Flint,
If he gets up the devil's in't.

AN ANCIENT CRY.—O yes, O yes—Hoe yes—or Oyez,—the Attic idiom has it, Ἀκούετε λεω—Hear, O people.—*Aristophanes.*

EPITAPH ON A SCRIVENER.—

May all men by these presents testifie,
A lurching scrivener here fast bound doth lie.

A CURIOUS CONVICTION.—It has sometimes happened that a man who has committed a very atrocious crime has

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been hanged for a circumstance attending the perpetration of it, which was in itself perfectly innocent.

Thus, a servant who had attempted to murder his master (before the attempt to murder was made a capital crime) by giving him fifteen wounds upon the head and different parts of the body, with a hatchet, was convicted and executed, not as an assassin, but as a burglar, because he had been obliged to lift up the latch of his master's door, to get to his room.

EPITAPH ON SIR JOHN BRIDGEMAN—President of the Council in the Marches of North Wales, and resident at Ludlow Castle, for some slight offence committed one Ralph Gittins, bellman and epitaph-maker, to the town prison. Sir John soon after died ; and in gratitude for his kindness, Ralph honoured him with the following laconic epitaph :—

> Here lies Sir John Bridgeman, clad in his clay ;
> God said to the devil, " Sirrah, take him away."

CORONATION OATH.—So far am I from thinking the majesty of the Crown of England to be bound in a blind and brutish formality to consent to whatever its subjects in Parliament shall require, as some men needs infer, while denying me any power of a negative voice as a King, they are not ashamed to seek to deprive me of the liberty of using my reason with a good conscience, which themselves and all the Commons of England enjoy proportionable to their influence on the public, who would take it very ill to be urged not to deny whatever myself, as King, or the House of Peers with me, should not so much desire as enjoin them to pass ; I think my oath fully discharged in that point by my governing only by such laws as my people, with the House of Peers, have chosen, and myself have consented to. I shall never think myself conscientiously tied to go as oft against my conscience as I should consent to such new proposals which my reason, in justice, honour, and religion, bids me deny.—*Eikon Basilike.*

A QUARREL BETWIXT TOWER HILL AND TYBURN.—

> I'll tell you a story that never was told,
> A tale that hath both head and heel,
> And though by no Recorder inroll'd,
> I know you will find it as true as steel.

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When General Monck was come to town,
A little time after the Rump had the rout,
When loyalty rose and rebellion fell down,
They say that Tower Hill and Tyburne fell out.

Quoth terrible Tyburne to lofty Tower Hill,
Thy longed-for daies are come at last,
And now thou wilt dayly thy belly full,
With king-killers bloud whilst I must fast.

The High Court of Justice will come to the Bar,
There to be cooked and dressed for thee,
Whilst I, that live out of town so far,
Must only be fed by fellony.

If treason be counted the foulest fact,
And dying be a traytor's due,
Then why should you all the glory exact!
You know they are fitter for me than you.

To speak the plain truth, I have groan'd for them long,
For when they had routed the Royal Root,
And done the kingdom so much wrong,
I knew at the last they would come to't.

When Titchburne sate upon the Bench,
Twirling his chain in high degree,
With a beardless chin like a withered wench,
Thought I, the Bar is fitter for thee.

But then, with stately composed face,
Tower Hill to Tyburne made reply,
Do not complain, in such a case,
Thou shalt have thy share as well as I.

There are a sort of mongrils, which
My lowly scaffold will disgrace,
I know Hugh Peters, his fingers itch
To make a pulpit of the place.

But take him, Tyburne, he is thine own,
Divide his quarters with thy knife,
Who did pollute with flesh and bone
The quarters of the butcher's wife.

The next among these petticoat Peers,
Is Henry Martin, take him thither,
But he hath been addle so many years,
That I fear he will hardly hang together.

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There's Hacker, jealous Tom Harrison too,
That boldly defends the bloudy need,
He practizeth what the Jesuites do,
To murder his King, as a part of his creed.

There's single-eyed Hewson, the cobbler of fate,
Translated into buff and feather,
But bootless are all his seams of state,
When his soul is unrift from the upper leather.

Is this prophane mechanical brood,
For me that has been dignify'd
With loyal Lane and Strafford's blood,
And holy Hewet, who lately dy'd ?

Do thou contrive with deadly Dun,
To send them to the River Styx ;
'Tis pity, since those saints are gone,
That martyrs and murtherers bloud should mix.

Then do not fear me that I will
Deprive thee of that fatal day ;
'Tis fit those that their king did kill,
Should hang up on the King's highway.

My privilege, though I know it is large,
Into thy hand I'll freely give it,
For there is Cook that read the King's charge,
Is only fit for the devil's tribute.

Then taunting Tyburn, in great scorn,
Did make Tower Hill this rude reply :
So much rank bloud, my stomach will turn,
And thou shalt be sick as well as I.

These traitors made those martyrs bleed
Upon the block, that thou dost bear,
And there it is fit they should dye for the deed.
But Tower Hill cried they shall not come there.

With that, grim Tyburne began to fret,
And Tower Hill did look very grim ;
And sure as a club they both would have met,
But that the City did step between.

FORENSIC ELOQUENCE.—The following peroration to an

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eloquent harangue, addressed to a jury by a Connecticut lawyer, is a rare specimen of climacteric sublimity: "And now the shades of night had wrapt the earth in darkness. All nature lay clothed in solemn thought, when the defendant ruffians came rushing like a mighty torrent from the mountains, down upon the abodes of peace, broke open the plaintiff's house, separated the weeping mother from the screeching infant, and took away—my client's rifle, gentlemen of the jury, for which we claim fifteen dollars."

THE CURIOUS WILL—Of Philip Thicknesse, of London, but now of Boulogne in France, Esq., deceased, proved, Jan. 24, 1793: "I leave my right hand, to be cut off after my death, to my son, Lord Audley, and I desire it may be sent to him, in hopes that such a sight may remind him of his duty to God, after having so long abandoned the duty he owed to a father who once loved him so affectionately."

THE GUILLOTINE.—Was introduced into France by M. Guillotin, a physician and a member of the National Assembly, in 1791. The guillotine known formerly in England as the Maiden, was used in the limits of the forest of Hardwicke in Yorkshire, and the executions were generally in Halifax. Twenty-five criminals suffered by it in the reign of Queen Elizabeth; the records before that time are lost. Twelve more were executed by it between 1623 and 1650: after which it is supposed that the privilege was no longer respected. Prints of machines of this kind are to be met with in many old books in various languages, even as early as 1510, but without any descriptions.

INIQUITY OF EQUITY.—Equity is a roguish thing. For law we have a measure, we know what to trust to; equity is according to the conscience of him that is Chancellor, and as that is larger or narrower, so is equity. It is all one as if they should make the standard for the measure we call a foot, a Chancellor's foot. What an uncertain measure this would be. One Chancellor has a long foot, another a short foot, a third an indifferent foot; it is the same thing in the Chancellor's conscience.—*Selden.*

EPITAPH ON W. ELDERTON, THE RED-NOSED BALLAD-MAKER.—He was originally an attorney in the Sheriff's Court of London, and afterwards he, if we may believe Oldys, a comedian, was a facetious, fuddling companion, whose

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tippling and rhymes rendered him famous among his contemporaries, and was author of many popular songs and ballads, and probably other pieces, and is believed to have fallen a victim to his bottle before the year 1592. His epitaph has been recorded by Camden and is thus translated by Oldys:—

"Dead drunk, here Elderton doth lie;
Dead as he is, he still is dry;
So of him it may well be said,
Here he, but not his thirst is laid."

See Stow's Lond. (Guildhall—Biogr. Brit.; Drayton, by Oldys, Note B.); Ath. Ox. Camden's Remains—"The Exaale of Ale," among Beaumont's Poems, 8vo. 1653.

LAW.—The idea that law must be at the bottom everywhere the same, is no better than the idea that medical treatment must be the same for all patients.

BURNING IN THE HAND.—Lydia Adler, convicted at the Old Bailey in June, 1744, for kicking her husband until he died, was found guilty of manslaughter, in consequence of which she was burnt in the hand.

OATHS.—

Oaths were proposed not, more than law,
To keep the good and just in awe.

OBLIQUE LEGISLATION.—In England this is performed entirely by the judges, and the only cases that are allowed to affect it are those which actually come before the courts for decision.

LAUNCESTON.—At the assizes held in this town, the judge condemned a boy twelve years of age to penal servitude for life for stealing three gallons of potatoes.

AN HEIR'S VIEW.—They were reading the will of the old Monmouthshire squire, and his nephew, the principal inheritor, was paying the closest attention to its provisions. Presently the solicitor came to a clause,—

"I bequeath to the servant that shall close my eyes fifty pounds."

"Hulloa, there!" cries the heir, "just read that again, will you?"

The solicitor complies.

"That's fifty pounds saved, anyhow," says the heir. "Uncle

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had only one eye. Got in front of the faithful domestic that time, didn't I ?"

FOREST LAWS.—Foresta, saltus, locus sylvestris et saltuosus.

Foresta est locus ubi feræ inhabitant vel includentur; others say it is called Foresta, quasi ferarum statio, vel tuta mansio ferarum (*Manwood*). Forests are of such antiquity in England, it is said there is no record or history that doth make any certain mention or history of their erections or beginnings. Ancient historians tell us that New Forest was raised by the destruction of twenty-two parish churches, chapels, and manors, for the space of thirty miles together; which was attended by divers judgments on the posterity of the king.

Besides the New Forest, there were sixty-eight other forests in England; thirteen chases, and more than seven hundred parks. The four principal forests are, New Forest on the sea, Sherwood Forest on the Trent, Dean Forest on the Severn, and Windsor Forest on the Thames.

A ROUGH RHYME ON A ROUGH MATTER.—

The merry brown hares came leaping
Over the crest of the hill,
Where the clover and corn lay sleeping
Under the moonlight still.

Leaping, late and early,
Till under their bite and their tread
The swedes, and the wheat, and the barley,
Lay cankered, and trampled and dead.

A poacher's widow sat sighing
On the side of the white chalk bank,
Where under the gloomy fir-woods
One spot in the ley throve rank.

She watched a long tuft of clover,
Where rabbit or hare never ran
For its black sour haulm covered over
The blood of a murdered man.

She thought of the dark plantation,
And the hares, and her husband's blood
And the voice of her indignation
Rose up to the throne of God.

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I am long past wailing and whining—
I have wept too much in my life:
I've had twenty years of pining
As an English labourer's wife.

A labourer in Christian England,
Where they cant of a Saviour's name,
And yet waste men's lives like the vermin's,
For a few more brace of game.

There's blood on your new foreign shrubs, squire,
There's blood on your pointers' feet;
There's blood on the game you sell, squire,
And there's blood on the game you eat!

You have sold the labouring man, squire,
Body and soul to shame,
To pay for your seat in the House, squire,
And to pay for the feed of your game.

You made him a poacher yourself, squire,
When you'd give neither work nor meat;
And your barley-fed hares robbed the garden
At our starving children's feet;

When packed in one reeking chamber,
Man, maid, mother, and little ones lay;
While the rain pattered in on the rotting bride-bed,
And the walls let in the day;

When we lay in the burning fever,
On the mud of the cold clay floor,
Till you parted us all for three months, squire,
At the cursed workhouse door.

We quarrelled like brutes, and who wonders?
What self-respect could we keep,
Worse housed than your hacks and your pointers,
Worse fed than your hogs and your sheep?

Our daughters with base-born babies
Have wandered away in their shame;
If your misses had slept where they did,
Your misses might do the same.

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Can your lady patch hearts that are breaking,
With handfuls of coals and rice,
Or by dealing out flannel and sheeting
A little below cost price?

You may tire of the gaols and the workhouse,
And take to allotments and schools,
But you've run up a debt that will never
Be repaid us by penny-club rules.

In the season of shame and sadness,
In the dark and dreary day,
When scrofula, gout, and madness,
Are eating your race away;

When to kennels and liveried varlets
You have cast your daughters' bread,
And, worn out with liquor and harlots,
Your heir at your feet lies dead;

When your youngest, the mealy-mouthed rector,
Lets your soul rot asleep in the grave,
You will find in your God the protector
Of the freeman you fancied your slave.

She looked at the tuft of clover,
And wept till her heart grew light;
And at last, when her passion was over,
Went wandering into the night.

But the merry brown hares came leaping
Over the uplands still,
Where the clover and corn lay sleeping
On the side of the white chalk hill.

GAME LAWS.—Aucupia, i.e. Avium captio, birds of prey got by fowling and hunting. Destroying game is an offence by statute. No person shall take pheasants or partridges with engines in another man's grounds, without licence, on pain of 10*l.*—*Stat. II.*, *H.* 7, *c.* 17.

ANIMALS APPROPRIATED TO SPORTSMEN.—

The forest-laws were sharp and stern,
The forest blood was keen,
They lashed together as for life and death
Beneath the hollies green.

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The metal clove and the walnut wood
Did soon in splinters flee;
They tossed the orts to south and north,
And grappled knee to knee.

They wrestled up, they wrestled down,
They wrestled still and sore;
The herbage sweet beneath their feet
Was stamped to mud and gore.

SIR GEORGE LOCKHART—President of the Court of Session, was pistolled in the High Street of Edinburgh, by John Chiseley of Dalry, in the year 1689. This deed was stimulated by an opinion that he had sustained an injustice in a decretal-arbitral pronounced by the President, assigning an alimentary provision of about 93*l.* in favour of his wife and children. For this offence, after undergoing the torture, by a special Act of the Estates of Parliament, he was tried before the Lord Provost of Edinburgh, as High Sheriff, and condemned to be dragged on a hurdle to the place of execution, and to have his right hand struck off while yet alive, and finally to be hung on the gallows, with the pistol wherewith he shot the President tied round his neck. This execution took place on the 3rd of April, 1689; and the incident was long remembered as a dreadful instance of what law-books call the perfervidum ingenium Scotorum.

CORONATION NOTES.—With joy everywhere; and blessed be God, I have not heard of any mischance to anybody through it all, but only to Serjeant Glynne, whose horse fell upon him, and is likely to kill him, which people do please themselves to see how just God is to punish the rogue at such a time as this, he being now one of the King's Serjeants, and rode in the cavalcade with Maynard, to whom people wish the same fortune.—*Pepys' Diary.*

JURISPRUDENCE.—The point of divergence between the German and English schools of jurisprudence, is to be found in the fact that the former regards law as a rule, the latter regards it as a command.

A LAWYER'S DRESS.—The Queen's illness in April, 1817, prevented her holding the drawing-room; the etiquette appeared to be to inquire in plain dress; however, a King's

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Counsel, decked out in forensic trappings worn on the first day of term, made an appearance rather unique. His gold brocade waistcoat, lace band, black silk gown, and full-bottomed wig, gave him a formidable appearance, and produced merriment among many of those unmannerly jokers who generally divert themselves at the expense of grandeur in distress.

After Counsellor H—— entered the lodge, his carriage drove off towards the guard-house. He remained but a few minutes, and finding the carriage gone, was compelled to make hasty strides after it through the rain, which at that time descended in heavy drops.

In order, perhaps, to preserve the lustre of his gold brocade waistcoat and black satin inexpressibles, he threw his silk robe over all, and thus defended reached the carriage. The material ingredient to make a lawyer, namely, his wig, suffered in the retrograde movement.

TRESPASS FOR INTERMEDDLING WITH A FEME.—There are some curious decisions in the old books relative to this point of law. In Br. Ab. Tresp. 40, it is said a man may aid a feme who falls from her horse, and if so she be sick, and in the same if her Baron would murder her. And the same per Rede if the feme would kill herself. And per Fineux a man may conduct a feme on a pilgrimage. So where a feme is going to market, it is lawful for another to suffer her to ride behind him upon his horse to market (*Br. Ab. Tresp.* 207). And if a feme says she is in jeopardy of her life by her Baron, and prays him (a stranger) to carry her to a Justice of the Peace, he may lawfully do it (*Br. Ab. Tresp.* 207). But where any feme is out of the way, it is not lawful for a man to take her to his house, if she was not in danger of being lost in the night, or of being drowned with water (*Br. Ab. Tresp.* 213).

OLD BAILEY.—In noting the reconstruction of the Old Bailey, it has been done so as most conclusively to secure the impossibility of seeing or hearing.—*T. Hook.*

EPITAPH ON SIR HENRY CONINSBY.—

Litholegma quare reponitur
Sir Harry.
Anglice:
A heap of stones you see appear,
For why? because Sir Harry lieth here.

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WITCHES.—Matthew Hopkins resided at Manningtree, in Essex, and was official witch-finder for the associated counties of Essex, Suffolk, Norfolk, and Huntingdonshire.

In the years 1644, 1645, and 1646, accompanied by one John Stern, he brought many to the fatal tree as witches. He hanged in one year no less than sixty reputed witches in his own county of Essex.

QUARANTINE LAWS.—The Princess of Wales on her voyage up the Mediterranean, called at Malta, with a very strong wish to see the magnificent buildings of that island. It was necessary that she should perform quarantine. Her Royal Highness sent an earnest remonstrance to the Governor; but the law admits of no relaxation, and a period of ten days was the shortest that could be allowed. Her Royal Highness, like a sensible woman, sailed away for Greece forthwith, without any ceremony.—*March*, 1817.

PETIT TREASON.—This kind of treason used to give forfeiture of lands by escheat to the lords of the fee, and a man was drawn and hanged for it, and a woman burnt alive.

MALEDICTIONS.—In the Lexicon of Suidas it is stated that a Lacedæmonian execrated his legal adversaries, whom he hated, by these three wishes—that they might build houses, buy fine clothes, and marry coquettes.

WHIPPING.—In December, 1777, two men, Holmes and Williams, were whipped twice on their bare backs from the end of Kingsgate Street, Holborn, to Dyot Street, St. Giles, a distance of half a mile, for stealing a corpse.

GIBBETING.—The Roman law permitted the murderer to remain on the gibbet after execution, as a comfortable sight to the friends and relations of the deceased.

"Nec furtum feci, nec fugi, si mihi dicat
Servus: Habes pretium; loris non ureris,
Aio.
Non hominem occidi; non pasces in cruce corvos."
Horace.

The Mosaical law directed the body of the criminal to be buried on the day of his death, that the land might not be defiled. The English laws used to hang the bodies in chains.

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UNE TROCHÉE.— Open to argument, an English Law Court.

OF THE MAN OF LAWES' SONNE'S ANSWER.—A woman demaunded a questyon of a little chylde, sonne unto a man of lawe, of what crafte his father was; whiche chylde sayde, his father was a craftye man of lawe.

By this tale a man may perceyve that some tyme peradventure yonge innocentes speke truely aduysed.

A WILL.— Stephen Swaine, of St. Olave's, Southwark, stated in his will, proved February 5th, 1770: "I give and bequeath unto John Abbott and Mary his wife, the sum of sixpence apiece, to buy each of them a halter, in case the sheriffs should not be provided."

A LEGACY.—Of the two legacies which Rome bequeathed, it may be stated that England received immediately empire, but no law, and Germany, law, but no empire.

APPEAL TO PARLIAMENT.—The power of appeal from the Court of Session, the supreme judges of Scotland, to the Scottish Parliament, in cases of civil right, was fiercely debated before the Union. It was a privilege highly desirable for the subject, as the examination and occasional reversal of their sentences in Parliament might serve as a check upon the judges, which they greatly required at a time when they were more distinguished for legal knowledge than for uprightness and integrity.

GERMAN LAW.—To the German, law is the supplement to morality, and does not necessarily imply the idea of force; to the Englishman, law is distinct from morality, and bases its claims upon force solely.

DESPATCH.—A man at Derby in 1814 was detected picking a gentleman's pocket of his pocket-book. He was taken into custody, the property found upon him, carried before a justice, committed, and a bill found by the grand jury, which was then sitting. He was then tried, convicted, and sentenced to transportation, and all this was done in the course of two hours.

MR. JUSTICE BEGBIE—Of British Columbia, the terror of all evil-doers, and of too sympathizing jurors, had occasion to caution a witness: "Don't prevaricate, sir, don't prevaricate; remember that you are on your oath!" The excuse was,

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"How can I help it, judge, when I have such an almighty bad toothache!"

THE RISE OF ADVOCATES. — As soon as the Roman Emperors deprived the people of the right of choosing their magistrates, and of giving their suffrages in trials and public deliberations, patrons and clients became mutually useless, in fact subsisted no longer. Individuals having no patrons to defend their causes, entrusted them to those citizens whom they judged best versed in laws. In consequence, eloquence became a source of mean avidity and sordid lucre. Juvenal in his seventh satire ridicules the lawyers of his time, who affected to appear in litters, dressed magnificently, and with a great train, and who carried their ostentation so far as to wear gems of great value on their fingers in the forum, that they might be considered as extremely rich, and make their employers pay the dearer for their service.

"PURPURA VENDIT CAUSIDICUM, VENDUNT AMETHYSTINA."—

Nor can I wonder at such tricks as these,
The purple garments raise the lawyer's fees,
And sell him dearer to the tool that buys,
High pomp and state are useful properties,
The luxury of Rome will know no end;
For still the less we have the more we spend;
Trust eloquence to show our parts and breeding!
Not Tully now could get ten groats by pleading,
Unless the diamond glitter'd on his hand:
Wealth's large equipage, and loud expense,
The prince of orators would scarce speak sense.
Paulus, who with magnificence did plead,
Grew rich, whilst letter'd Gallus begg'd his bread;
Who to poor Basilus his cause would trust,
Tho' ne'er so full of pity, ne'er so just?
His clients, unregarded, claim their due,
For eloquence in rags was never true.

Dryden.

ROMAN LAW.—It was not through any external power, but by the force of scientific conviction, that the Roman law, just like the philosophy of the Greeks and the masterpieces of the old world in general, found entrance and new life.

Puchta.

TITHES.—At the Sussex assizes at Lewes, the Lord Chief

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Baron laid down that lambs are weanable when they thrive on the same food that the dam subsists on, and that the farmer is bound to treat the parson's lamb in the same manner as he treats his own.

In this case the farmer did not wean his own lambs, but after setting out the parson's tithes, returned the ninth part of the ewes to fatten for sale (1811).

SUSPENSION OF THE HABEAS CORPUS ACT.—On March 3rd, 1817, the above Act was suspended by the Whigs by a majority of 162, the decision being 265 against 103. This tyrannical procedure brought about a most dignified protest from the House of Lords, "that there was no case of imminent and pressing danger requiring the existing laws to be suspended, of the most important security of the liberty of the country." Signed by

Augustus.	Grey.	Wellesley.	Vasall.
Bedford.	Alvanley.	Thanet.	Say and Sele.
Albermarle.	Montfort.	Grosvenor.	Rosslyn.
Foley.	Essex.	Auckland.	Holland.
Sunbridge.	Lauderdale.	St. John.	

The arguments of the House of Lords were, no longer to pursue such arbitary measures, but by just laws to conciliate the minds of the people, to listen to their petitions, to alleviate their distresses, to adopt every possible economy and retrenchment, and not to put the whole nation out of the pale of the law. This, and this only, could secure the affections of the people, and induce them to bear their burdens with fortitude and patience. Such importance was attached to the Habeas Corpus Act by our ancestors, that James II., with all the exertion of his tyrannical power, could not induce the House of Commons to suspend it, although at the very time two armies hostile to the Government were in the kingdom.

SOME STATUTES OF THE STREETS OF LONDON AGAINST ANNOIANCES.—

No man shall shoot in the street for wager or otherwise, under like paine of two shillings.

No Goungsermour shall carry any ordure in the street, till after nine of the clocke in the night, under paine of thirteene shillings four pence.

No man shall blowe any horne in the night within this

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City, or whistle after the hour of nine of the clocke in the night, under pain of imprisonment.

That night-walkers and evesdroppers endure like punishment.

No man shall after the houre of nine at the night, keep any rule whereby any such sudden outcry be made in the stil of the night, as making any affray, or beating his wife, or servant, or singing or revelling in his house to the disturbance of his neighbors under paine of 3 shill: 4 pence.

No butcher shall sell any measall hog, or unwholsome flesh, under paine of ten pounds.

Casting any corrupt thing, appoysoning the water, is lourqulary and felony.

No man which is a forraine, shall not buy nor sell within the liberties of this City with another forraine, under paine for forfeiture of the goods so forraine bought and sold.

The pudding cart of the shambles shall not goe afore the houre of nine of the night, or after the houre of five in the morning, under penalty of six shillings eight pence.

An Act of Common Councell, made in the even of Saint Michael, Anno Regis Henrici Octavi xxxj. That no person should lay any wares in the street, or beyond the edge of their stall, upon paine of forfeiture, the first time six shillings eight pence; the seconde time thirteen shillings foure pence; and the third time, the ware so laid.

PUNISHMENT OF MISERS AND GLUTTONS.—Βάραθρον, a deep pit. It was a dark, noisome hole, and had sharp spikes at the top, that no man might escape out; and others at the bottom to pierce and torment such as were cast in. From its depth and capaciousness it came to be used proverbially for a covetous miser, or voracious glutton, that is always craving, and can never be satisfied, and such a one the Latins called Barathro.

"Aufer abhinc lacrymas, Barathro, et compesce querelas."
Forbear thy sighs,
Thou miser, cease complaints, and dry thine eyes.
Lucretius.

"Mendici, mimæ, Barathones, hoc genus omne."
Beggars, jack-puddings, rooksters, and such like.
Horace.

LAWS.—English, as well as others, inflict severe penalties upon offenders, thereby to deter men from vice and wickedness, and from base, dishonourable designs.

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ENGLISH PENAL CODE.—When we come to inquire into the nature of the crimes of which this dreadful catalogue is composed, we find it contains transgressions which scarcely deserve corporal punishment; while it omits enormities of the most atrocious kind.

We find in it actions to which nothing but the terror of some impending danger to the state could ever have given a criminal appearance; and obsolete offences, whose existence we learn only from those statutes which are still bloody monuments of English law, while the causes that gave rise to them simply emanated from the minds of the followers of the law. On the one hand, we see to steal a horse or a sheep, to snatch a man's property out of his hands, and run away with it, or to take it privately from him, though only to the amount of a shilling; to steal to the amount of forty shillings in a dwelling-house, or to the amount of five shillings in a shop, are all crimes punishable with death. On the other hand, for a man to attempt the life of his own father was, until the Act of Lord Ellenborough, only a misdemeanour; to take away another's life, and to brand his name with ignominy by a premeditated perjury, is not a capital punishment. To burn a house, and endanger the lives and properties of a whole town, is not visited with greater punishment than to destroy turnpike-gates on roads, or posts, rails, or fences belonging to such gates, or cutting a hop-bine, or breaking down the head of a fish-pond, whereby the fish are lost and destroyed.

If we look into the legal definition of crimes, we discover still grosser inconsistencies; we find that under certain circumstances, a man may steal without being a thief; that a pickpocket may be a highway robber, and a shop-lifter a burglar; that to steal fruit ready gathered is a felony; that to gather it and steal it is only a trespass; that to force one's hand through a pane of glass at five o'clock in the afternoon, to take anything out that lies in the window is a burglary even if nothing be actually taken; though to break open a house with every circumstance of violence and outrage at four in the morning in summer for the purpose of robbing, or even murdering the inhabitants, is only a misdemeanour; that to steal goods in a shop, if the thief be seen to take them, is only a transportable offence; but if he be not seen, that is, if the evidence of his guilt be less certain, it is a capital felony, and punishable with death; and that if a man firing at poultry with intent to steal them, inadvertently kills a human being

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he shall be adjudged a murderer, and suffer death accordingly.

THE STAKE.—Ann Williams was sentenced to be burnt alive at the stake, which sentence was accordingly carried into execution at Gloucester, April 13, 1753, among a number of spectators, who seemed to have enjoyed the judicial entertainment provided for them by law.

JUDICIAL MURDER.—

Epitaph
To the Memory of the unfortunate
Bosavern Penlez,
Who finished a life generally
well reported of,
By a violent and ignominious death.
He was the son of a Clergyman,
To whom he was indebted for an
Education which he so wisely
improved
As to merit the love and esteem of
all that knew him.
But actuated by principles, in themselves truly
laudable
(When directed, and properly restrained),
He was hurried, by a zeal for his
country-men,
And an honest detestation of
Public S . . . s
(The most certain bane of youth, and the
disgrace of Government),
To engage in an undertaking, which
the most partial cannot defend,
And yet the least candid must excuse.
For thus indeliberately mixing with rioters
Whom he accidentally met with,
He was condemned to die,
And of seven hundred persons concerned
in the same attempt,
He only suffered,
Though neither principal nor contriver.
How well he deserved life appears
from his generous contempt of it
in forbidding a rescue of himself:

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And what returns he would have made
to Royal Clemency,
Had it been extended to him, may fairly
be presumed from his noble endeavours
to prevent the least affront to that power,
Which, though greatly importuned,
refused to save him.
What was denied to his person
was paid to his ashes
By the Inhabitants of St. Clement Danes,
Who ordered him to be interred
among their brethren,
Defrayed the charges of his funeral,
And thought no mark of pity or respect too much
For this unhappy youth,
Whose death was occasioned by no other fault
But a too warm indignation for their sufferings.
By his sad example, Reader! be admonished
Of the many ill consequences that attend
an intemperate zeal.
Learn hence to respect the laws—
even the most oppressive;
And think thyself happy under that Government,
"That doth truly and indifferently
administer justice
To the punishment of wickedness
and vice,
And to the maintenance of God's
true religion and virtue."

The King was most desirous to grant a pardon, but Lord Chief Justice Willes, before whom the trial took place, a great stickler for the dignity of the law, declared in Council that no regard would be paid to the majesty of the law unless an example was made.

Bosavern Penlez met his fate with the consciousness of an innocent man, and the courage of a Christian. He was executed at Tyburn, on the 18th of October, 1749, in the twenty-third year of his age.

LORD CHIEF JUSTICE WILLES—Was a man of so little personal decorum, that he was perpetually offending against the respect due to his office. He would play cards at the public rooms at watering-places; and one night when so engaged, was extremely annoyed by a young barrister, who,

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feigning to be intoxicated, stood by the table, looked over his cards, and was so troublesome, that at last Willes spoke sharply to him. "Sir," said he, pretending to stagger, "I—beg pardon; but I wanted to improve in playing whist; so—so I came to look over—you; for, if—if I—I—I am not mistaken, sir—you are a judge."—*Memoirs of Miss Hawkins*, vol. ii. p. 254.

Willes, says Horace Walpole in his Memoirs, was not wont to disguise any of his passions and vices. That for gaming was notorious; for women, unbounded. There was, continues Horace Walpole, a remarkable story of a grave person coming to reprove the scandal he gave, and to tell him that the world talked of one of his maid-servants being with child. Willes said, "What is that to me?" The monitor answered, "Oh, but they say it is by your lordship." "And what is that to you?" was the reply.

DR. JOHNSON—Gives an entertaining account of Bet Flint, who, with some eccentric talent, forced herself upon his acquaintance. Bet, said Johnson, wrote her own life in verse, which she brought to me, wishing that I should write a preface to it. I used to say of her that she was generally slut or drunkard, occasionally thief. Poor Bet was taken up on a charge of stealing a counterpane, and tried at the Old Bailey. Willes, who loved a wench, summed up favourably, and she was acquitted. After which Bet said with a satisfied air, "Now the counterpane is my own, I shall make a petticoat of it."

CITY LAWS FOR THE BURIAL OF ALDERMEN.—The aldermen are to weare their violet gownes, except such as have (of their friends' allowance) blacke gownes or mourning. When an alderman dieth, Master Sworde Bearer is to have a blacke gowne, or three-and-thirty shillings and foure pence in money. And if the alderman deceased doe give the Lord Maior mourning, then Master Sworde Bearer is to have mourning also, or forty shillings in money, as the value thereof, and so to carry the sworde in blacke before the Lord Maior. Master Chamberlaine is not to weare his tippet but when the Lord Maior or aldermen doe weare their scarlet or violet.

THE BASIS OF LAW.—

Jack says that of law, common sense is the base,
And doubtless in that he is right;

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Though certain am I, that in many a case
The foundation is quite out of sight.

GARROW—Would never let any one touch his wig, for he said he knew the wisdom was in his wig, and he would not trust it in the hands of every varlet hairdresser.

THE PROVOST'S WIG.—Robbie Johnson was Provost of Dundee in 1769. His services being required on a certain occasion, a messenger was despatched to his house, who, upon asking for the Provost, was told by his good wife that he was "awa to the whin hill for a pockfu' o' whins." Off went the messenger to the whin hill, and soon the Provost appeared, and throwing down his load, pulled off his bonnet, and wiping his bald pate, said, "Janet, where's ma wig? I'm tae sit in judgment the day." "Your wig! Did I ever hear sic a man! Your wig! Hoo can ye hae your wig? D'ye no ken the hen's layin' in it?"

A WAGER.—Erskine and Garrow one day laid a wager that the latter's wig would not fit the former, and Garrow accordingly went to his friend's chambers to try it on. It fitted, and Erskine sent out for half a dozen of champagne, which was the subject of the wager. The two barristers soon drank the wine, and Garrow rose to go home. But the champagne had such an effect upon him that he forgot he had on Erskine's wig, and he sallied forth with it on his head, when he began tumbling about, and collected a large mob.

PERRUQUES.—The invention of periwigs, writes an old author, is of so great use, and saves men so much trouble, that it can never be laid aside. The fashion of wearing wigs, however, has long since been dispensed with, swept away to the limbo of obsolete, dirty, and worn-out fashions. On the Bench, and at the Bar, the wig still prevails; lawyers so love to cling to precedent; the court will give no audience, justice is deaf, as well as blind, to the counsellor without his wig. In the tribunals, its last stronghold, the wig rules with severity. By some unaccountable fact, coachmen of distinction still wear wigs. "It offends me to hear a robustous periwig-pated fellow tear a passion to tatters, to split the ears of the groundlings."—*Shakespeare.* Wig being a termination in the names of men, signifies war, or else a hero, from Piza, a word of that signification.—*Gibson's Camden.*

LORD CAMDEN—Used frequently to sit in court in a tie-

wig, and would garter up his stocking while the counsel were the most strenuous in their eloquence.

HEAD-DRESS.—Nice distinctions in the matter of wigs are pointed out in Colman's Prologue to Garrick's "High Life above Stairs."

> Fashion in everything bears sovereign sway,
> And words and periwigs have both their day;
> Each have their purlieus too—are modish each
> In stated districts, wigs as well as speech.
> The Tybourn scratch, thick club, and temple-tie,
> The parson's feather-top, frizzed broad and high,
> The coachman's cauliflower, built tier on tiers,
> Differ not more from bags and brigadiers,
> Than great St. George's or St. James's styles
> From the broad dialect of broad St. Giles.

That upon these distinctions some stress was laid appears from Boswell's complaint. There is a general levity in the age; we have physicians now with bag-wigs. Cumberland in the Choleric Man says, Believe me, there is much good sense in old distinctions; when the law lays down its full-bottomed periwig, you will find less wisdom in bald pates than you are aware of. Goldsmith writes in the Citizen of the World, To appear wise, nothing more is requisite than for a man to borrow hair from the heads of all his neighbours, and clap it like a bush upon his own—

> Triumphing Tories, and desponding Whigs
> Forget their feuds, and join to save their wigs.
>
> *Swift.*

MIDAS.—It is said that Midas, after a certain accident, was the judicious inventor of long wigs.

CURIOUS JUDGMENTS.—The following ludicrous but well-known cases are worth citation.

A, the attorney of B, brought an action against C for saying to B, "Your attorney is a bribing knave, and had taken twenty pounds to cozen you." Judge Warburton held the words not actionable, for an attorney cannot take a bribe of his own client; Hobart said he might, when the reward exceed measure, and the end against justice, as to raise record. And Hobart says, after he had spoken, Justice Warburton began

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to stagger in his opinion, so the plaintiff had judgment.—*Hob.* 8, 9, *and* 1 *Roll.* 53.

One Howel Gwin was convicted of forging a deed by putting a dead man's hand to it, and condemned to 100*l.* fine, and to stand in the pillory two hours before the hall door. Memorandum.—He cut off a dead man's hand, and put a paper and a seal into it, and so signed, sealed, and delivered the deed with the dead hand, and swore that he saw the deed sealed and delivered.—*Style's Rep.* 362.

A man and his wife had lived a long time together ; and the man, having at length spent his substance, and living in great necessity, said to his wife, that he now was weary of his life, and that he would kill himself; the wife said she would die with him ; whereupon he prayed her that she would go and buy some rat's-bane, and they would drink it together, which she accordingly did, and she put it into drink, and they both drank it off. The husband died, but the woman took salad oil, which made her vomit, and she recovered. Query, if murder in the wife.—*Moor.* 754.

A says to B, one of us is perjured. B says to A, It is not I. And A says, I am sure it is not I. B shall have an action for the words, for the subsequent words show apparently that he intends him.—*Coe v. Chambers*, 1, *Roll.* 75.

Justice Twisden said he remembered a shoemaker brought an action against one for saying he was a cobbler ; and though a cobbler be a trade of itself, yet it was held the action lay in Chief Justice Glyn's time.—*Mod. Rep.* fol. 19.

Libel for calling a man a knave: prohibition lies, because in the time of Henry VI. knave was a good addition.—*Week's Case, Latch*, 156 ; 1 *Siderf.* 149.

One said of a Justice of the Peace, "He is a logger-headed, a slouch-headed, and a bursen-bodied (in the original *bellied*) hound." This is no cause of indictment before Justices of the Peace in their sessions, partly for want of jurisdiction, and partly because the words are not actionable. This was assigned for error after judgment.—1 *Keb.* 629.

MEN OF STRAW.—Some years ago men used to walk about openly in Westminster Hall with a piece of straw in their boot. By this sign attornies knew that such persons were in want of employment as false witness, and would give any evidence required for money. For instance, if an advocate wanted an obliging witness, he would go to one of these men and show him a fee, which, if not sufficient, the witness would not take any notice. The fee was then increased until

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its weight recalled the power of memory to a sufficient extent. By this they derived their name, Men of Straw.

THE CROSS.—Ὦ ξύλον, ὦ μακαριστὸν, ἐφ' ᾧ θεὸς ἐξετανύσθη—*Sibyll.* vi. 26. The peculiar atrocity of crucifixion was that one might live three or four days in this horrible state (*Petronius Sat. cxi.*). The hæmorrhage from the hands and feet quickly stopped, and was not mortal. The true cause of death was the unnatural position of the body, which brought on a frightful disturbance of the circulation, terrible pains of the head and heart, and at length rigidity of the limbs. Those who had a strong constitution only died of hunger (*Eusebius Hist. Eccl. viii.* 8). The idea which suggested this cruel death was not to kill the condemned by positive injuries, but to expose the slave, nailed by the hand of which he had not known how to make good use, and to let him rot on the wood.

THE THIEVES ON CALVARY.—

Impuribus meritis pendent tria corporis ramis;
Dismis et Gesmis media est divina potestas,
Alta petit Dismas, infelix, infama, Gesmas—
Nos et res nostras conservet summa potestas;
Hos versus dicas ne tu furto tua perdas.

Victor Hugo, "*Les Misérables*," vol. ii., p. 155.

BREAKING ON THE WHEEL.—This punishment is said by some to have been first inflicted under Commodus Lucius Aurelius, Emperor of Rome, in the second century of Christianity: others date its origin in the time of Louis de Gros; it was not admitted into the French Code until the year 1534, when it was the subject of an edict of Francis I. This edict was marked by its spirit of atrocity. Hanging which had been the penalty of murder, still remained so, as in England at the present time.

The wheel was not extended to this crime, but confined to cases of highway robbery, and burglary; thus property was more carefully protected than life. This shocking disparity was finally corrected under the reign of Henry II.

Plate sin with gold,
And the strong lance of justice hurtless breaks;
Clothe it in rags, a paltry straw will pierce it.

THERE is one law for the rich, and another for the poor.

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SENTENCE OF PONTIUS PILATE.—This is a correct transcript of the most memorable judicial sentence which has ever been uttered by human lips in the annals of the world. This curious document was discovered in A.D. 1280, in the City of Aquill, in the kingdom of Naples, in the course of a search made for the discovery of Roman antiquities, and it remained there until it was found by the Commissaries of Art in the French army of Italy. Up to the time of the campaign in Southern Italy, it was preserved in the sacristy of the Carthusians, near Naples, where it was kept in a box of ebony. Since then, the relic has been kept in the Chapelo Caserta. The Carthusians obtained, by petition, leave that the plate might be kept by them as an acknowledgment of the sacrifices which they had made for the French army. The French translation was made literally by members of the Commission of Art. Denon had a facsimile of the plate engraved, which was bought by Lord Howard, on the sale of his cabinet, for two thousand eight hundred and ninety francs.

There seems to be no historical doubt as to the authenticity of this document, and it is obvious to remark that the reasons of the sentence correspond exactly with those recorded in the Gospels. The sentence itself runs as follows :—" Sentence pronounced by Pontius Pilate, Intendant of Lower Galilee, that Jesus of Nazareth shall suffer death by the cross. In the seventeenth year of the reign of the Emperor Tiberius, and on the 25th of March, in the most holy city of Jerusalem, during the Pontificate of Annas and Caiaphas. Pontius Pilate, Intendant of the province of Lower Galilee, sitting in judgment in the presidential chair of the prætor, sentences Jesus of Nazareth to death on a cross, between two robbers, as the numerous testimonies of the people prove that—1. Jesus is a misleader. 2. He has excited the people to sedition. 3. He is an enemy to the laws. 4. He calls himself the Son of God. 5. He calls himself falsely the King of Israel. 6. He went to the Temple, followed by a multitude, carrying palms in their hands. It likewise orders the first Centurion, Quirilius Cornelius, to bring Him to the place of execution, and forbids all persons, rich or poor, to prevent the execution of Jesus. The witnesses who have signed the execution against Jesus are—1. Daniel Robani, a Pharisee; 2. John Zorobabel; 3. Raphael Robani; 4. Capet. Finally, it orders that the said Jesus be taken out of Jerusalem through the gate of Tournea." — *Kölnische Zeitung.*

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Being weary thus, he sought for rest,
To ease his burthened soul,
Upon a stone ; the which a wretch
Did churlishly control ;
And say'd, Away ! thou King of Jews,
Thou shalt not rest thee here ;
Pass on ; thy execution place
Thou seest, now draweth near.
And thereupon he thrust him thence ;
At which our Saviour said,
I sure will rest, but thou shalt walk,
And have no journey stay'd.
With that this cursed shoemaker,
For offering Christ this wrong,
Left wife and children, house and all,
And went from thence along.

NOTE.—The story of the Wandering Jew, or the Shoemaker of Jerusalem, is of considerable antiquity. Several persons have at various times assumed the name and character, all but one of whom must, of course, have been impostors. The oldest extracts in the British Museum, from whence these two verses are taken, end with this significant moral burden :—

Repent, therefore, O England !
Repent whilst you have space,
And do not, like this wicked Jew,
Despite God's proffered grace.

PHILIP MOUSKES—Afterwards Bishop of Tournay, wrote his rhymed chronicle thus (1242), which contains a similar account of the Jew :—

Adonques vint un arceveskes
De çà mer, plains de bonnes teques
Par samblant, et fut d'Armenie.
Atendés moi ! g'i vois,
S'iert mis le faus profète encrois.

Then—

Le vrais Dieux se regarda,
Et li a dit que n'i tarda,
Icist ne t'atenderont pas,
Mais saces, tu m'atenderas.

PUNISHMENT OF THE CROSS.—This ancient instrument,

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Σταυρος, mentioned in Thucydides (Lib. I., Δίκη φωνηέντων), was used in Greece, but not so frequently as at Rome. It consisted of two beams, one of which was placed across the other. The figure was much the same with that of the letter T, as Lucian tells us, differing only from it because the transverse beam was fixed a little below the top of the straight one. The victim was hanged upon the beam that was erect, his feet being fixed to it with nails, and his hands to each side of that which was transverse: as no vital parts were thus touched, there was plenty of leisure time to contemplate on the immortality of the soul, and the leniency of mundane institutions in general.

The quality of mercy is not strain'd,
It droppeth, as the gentle rain from heaven
Upon the place beneath; it is twice bless'd;
It blesseth him that gives, and him that takes:
'Tis mightiest in the mightiest; it becomes
The throned monarch better than his crown;
His sceptre shows the force of temporal power,
The attribute to awe and majesty,
Wherein doth sit the dread and fear of kings;
But mercy is above this sceptred sway,
It is enthroned in the hearts of kings,
It is the attribute to God Himself;
And earthly power doth then show likest God's,
When mercy seasons justice. Therefore, Jew,
Though justice be thy plea, consider this—
That in the course of justice, none of us
Should see salvation: we do pray for mercy;
And that same prayer, doth teach us all to render
The deeds of mercy. I have spoken thus much,
To mitigate the justice of thy plea.

CURIOSITIES OF ENGLISH JUSTICE.—During the whole of the eighteenth century the gallows bore profuse crops of awful fruit, and the hangman had incessant occupation. Nowadays, one can hardly realize the fact that within the memory of men living, six, ten, fifteen, were hanged at one time and one place.

In a book printed only about fifty years ago, there is an engraving—an exact representation, it is called—of the New Scaffold at Newgate, with ten men hanging at once.

On the 23rd of April, 1785, nineteen men were executed together, and not one for murder. Most were hanged for

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robberies and burglaries, and no less than three for returning from transportation before their time expired.

The bodies of murderers were invariably given to the surgeons for dissection, and they were publicly exposed to the gaze of the young and old on the dissecting-table of the Surgeon's Hall, Old Bailey.

HANGING.—Appears to be a very pristine, but withal a very ignominious death ; sometimes people were strangled, but generally hanged in the manner adopted by the English at the present time ; it appears from Homer, that Ulysses and Telemachus punished the men that took part with the young gentlemen who made love to Penelope, only with a common and ordinary death ; but that the maid-servants that had submitted to their flirtations, and behaved with scorn and contempt towards their masters, as being guilty of a more notorious crime, they ordered to be hanged ; the manner of it the poet has described in these words:—

Then young Telemachus a cable ty'd,
Harden'd with pitch t'a lofty pillar's side,
That he might there make swings above the floor,
For all his nasty queans, who played the ———— ;
In hempen twists they all hung in a row,
Tossing their legs, and moving to and fro.
So have I seen the warbling larks beset
With knotty mazes of the fowler's net,
How they do make a flutter and a rout
With wings expanded, tho' they can't go out.

Odyss.

LAWS—About Drunkards, Sabbath-breakers, Jesuites, Seminary Priests, Secular Priests, Popish Recusants, Coozeners, &c.

Yee shall enquire whether there be within your Ward any common Drunkard, Blasphemer of God's holy name, Prophaner of the Sabbath, Jesuite, Seminary or Secular Priest, or any Receiver, Releever, or Maintainer of them, or any Popish Recusant, Coozener, or Swaggering idle companion such as cannot give account how they live ; if there bee such you shall present them and the names of those that lodge them or aid them.—*Stow.*

JUDGES.—Their notion of law is not always very well defined, though, which is more important, that of equity is

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strong. A most notorious rowdy, from New England, who had escaped the law several times, was at last captured in the act of smashing the interior of a Chinese house of amusement in the little village of Eureka, in North California. Evidence against him was rather weak, and it was feared he would again escape. But when the prisoner was brought into court his Honour burst upon him with a tirade of abuse: "E-e-h! ye long, leathern, lantern-jawed Yankee cuss, we've ketched you, e-e-h, at last? I'll commit him at once!" "But, judge," whispered the clerk, "you'll have to hear the evidence!"

"Evidence be blowed!" was the rejoinder. "Wasn't I thar, and see'd it all myself?"

HANGING IN CHAINS.—One of the last criminals who after execution was gibbeted and hung in chains was Mr. Cook, who murdered Mr. Paas at Leicester, in 1834. Cook's Irons are still on view in Leicester Gaol.

PRESSING TO DEATH.—In the good old times, when

Wretches swung that jurymen might dine,

The judges usually resorted to what the law aptly terms the peine forte et dure, namely pressing to death for refusing to plead. This system was practised and in vogue till 1772, when an Act was passed by which any one refusing to plead should be deemed guilty, the same as though by a verdict of a jury. There were two kinds of men who formerly refused to plead to their indictments: the men of property, who by suffering death by pressure instead of by hanging, preserved their landed estates to their children, or heirs, which would not have been the case had they pleaded, and been found guilty by a jury. The other cases were determined men who imagined that by not pleading they would eventually escape the terrors of the law.

In January, 1720, two highwaymen named Spiggot and Phillips refused to plead until the effects taken from their persons were restored to them. Thereupon they were sentenced to be pressed to death in the Press-Room at Newgate. Phillips was terrified, and begged to be taken back to plead, which, as a mercy, he was permitted to do, although in strict law he could have been denied the request. His companion, however, was pressed, and bore the amazing weight of three hundred and fifty pounds for the space of half an hour; but when an additional fifty pounds was added, his fortitude gave way, and he begged to be allowed to plead. They were of course both hanged.

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The following year another highwayman, named Hames, refused to plead. In vain was the dreadful alternative explained to him. He continued mute, and was taken to the Press-Room, and bore a weight of two hundred and fifty pounds for seven minutes, when he cried out to be taken back to court. He too was hanged.

The last time this sentence was inflicted, as far as the compiler is aware, was upon a ship-master, who to save his landed property from the clutches of the law, so that his wife and family should not starve after his death, remained mute.

LAWYERS—Says Wilson the logician, never die poor.

MARRIED.—"Are you married?" asked a magistrate of a vagrant who had been arrested and charged with begging.

"I'm not, your worship, but my wife is."

The magistrate started. "Prisoner, leave off troubling the court with your miserable wit. Do not forget, sir, to pay that respect to the court which you owe." "Upon my word, your worship, I am not trying to be witty. I was married, but am separated. My wife married again—I did not. Therefore I am not married, but my wife is."—*Roman Bibliothek.*

LAW TERM.—Per quod servitium amisit, by which he lost her service. The words are used to describe the injury sustained by the plaintiff when the defendant has debauched a daughter or apprentice.

TREASON.—It may be as well to add, for the benefit of whomsoever it may concern, that the punishment for high treason is still drawing the body on a hurdle, hanging, beheading, and quartering it. The soul, however, is commonly recommended to mercy.

HEAT AND DECORUM.—The excessive heat in Paris has destroyed all ideas of decorum, even among the members of the Bar. At all events, it is stated that an advocate presented himself at the Palais de Justice in a black cravat and white trousers. But the dignity of the court was equal to the occasion. "Sir," severely said the President, "the court invites you to put your trousers round your neck and your cravat on your legs."—*Figaro,* 1884.

THE LAWES OF THE MARKET.—London. No man shall

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regrate any victuall which is in the market, or buy any victuall to ingrate in the market, so that the commons can or may have any such part of such victuall, as in especiall, such as be knowne for hucksters, or other people, occupying their living by such victuall, as they would so ingrosse, under paine of forfeiture of such victuall so regrated: Provided alwayes, that any steward for any noble feast, may buy or ingrate such victuall as is convenient for the same feast.

A PRETTY TALE OF A POORE MAN AND A LAWYER.—A poor man having bin much injured by an unkinde neighbour, who by the power of his purse, would have put him by the right of his land, went to a lawyer dwelling not farre off, to whom having delivered his griefe, he gave little for his counsell, but thanks, and countrie curtsies, with God save his life, and so forth; entreating him to let him know when he should againe wait upon him for further advice. Who answered him somewhat short: When you will, neighbour, when you will. The poore man upon this, when you will, came oftentimes afterward to him, but found no will in him to speake with him. Whereupon the poore man telling his wife of his ill-hap, was advised by her to take one of his best lambs, and present it unto him and then he should see what would follow: her counsel he followed, tooke his lambe, and went to the lawyer, to whose gate he was no sooner come, but the lawyer hearing the bleating of his lamb, opening his window, called him up, and within two words told him he understood his case, and all should be well, wherewith he departed, meeting with his wife going to market. After they had been at the ale-house and taken a pot or two, the poore man got him up into the marketplace, and there having his throat well cleared, made this mad outcrie: All ye that have any matters to trie in law, get ye everie one a fat lambe, and carry to your lawyer, for one word of a lambes mouth will bee better understood of the lawyer, and doe more good, than twentie of your owne.

SIDE-BAR MOTION—WESTMINSTER HALL.—

When fools fall out for ev'ry flaw,
They run horn mad to go to law,
A hedge awry, a wrong plac'd gate,
Will serve to spend a whole estate.
Your case the lawyers say is good,
And justice cannot be withstood;
By tedious process from above,
From office they to office move;

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Thro' pleas, demurrers, the dev'l and all,
At length they bring it to the Hall,
The dreadful hall by Rufus rais'd ,
For lofty Gothick arches prais'd.

Mosley.

LAW OF FRANKE PLEDGE.—And for that of late there is more resort to the City of London of persons evill affected in religion, and otherwise, than in former times have bin: You shall diligently inquire if any man bee received to dwell or abide within your ward, that is not put under Franke Pledge, as he ought to be by the custome of the City, and whether any person hath continued in the said ward by the space of one yeere, being above the age of twelve yeeres, and not sworne to be faithful to the King's Majesty, in such sort as by the law and custome of the City he ought to be.

PROFESSIONAL PRACTICE ON THE STAGE.—

Trio.

First Lawyer, Second Lawyer, Giovanni.

Air, " Soldier, give me one pound."

First Lawyer.

Giovanni, give me one pound.

Second Lawyer.

Giovanni, give me two.

First Lawyer.

Trial it comes off to-day.

Second Lawyer.

And nothing we can do.

First Lawyer.

You must give a fee,
Both to me.

Second Lawyer.

And me.

Both Lawyers.

For, oh ! the law's a mill
That without grist will never go.

Giovanni.

Lawyer, there is one pound.

(*To second lawyer.*)

Lawyer, there are two.

(*To first lawyer.*)

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And now I am without a pound,
Thanks to the law and you.
For oh! I feel the law
Has clapped on me its paw;
And oh! the law's a mill
That without grist will never go.
(*Exeunt omnes.*)

A WONDER OF THE WORLD.—A question was asked, which were the greatest wonders in the world? 'Twas answered, women's and lawyers' tongues, for that they did lye, yet never lye still.

OLD ASSIZE CUSTOM AT NEWCASTLE.—Two ancient coins, a Jacobus to the senior judge, a Carolus to the junior judge, are presented by the mayor, in lieu of the daggers, by way of commutation for the guard, which in still earlier times was provided for the judges.

ETYMOLOGY OF TYBURN.—From Ty and burn, the neck of offending persons being tyed thereunto, whilst their legs and lower parts were consumed in flames.

A SINGULAR COINCIDENCE.—Dr. Dodd, a few years before his death, published a sermon, entitled the Frequency of capital punishments inconsistent with justice, sound policy, and religion, in which he says, it would be easy to show the injustice of the laws which demand blood for the slightest offences, and the superior justice and propriety of inflicting lesser punishment for small and venial crimes.

LORD THURLOW.—When Chancellor of England, some thieves broke into his house in Great Ormond Street, and stole the Great Seal of England, which was never recovered, or the perpetrators known.

A QUIBBLE.—A few years back a father, whose desire was, and might be, one would think, naturally to leave his belongings to his offspring, unluckily only employed the word children to describe them. This seems scarcely capable of being misunderstood; nevertheless, because he had not specified them by name, the children of the testator were left out in the cold and stripped of their inheritance, which passed to distant relatives, who were pronounced under the wisdom of the wig, heirs-at-law.

INQUISITION ABOLISHED IN ROME, 1809 (July 10th).—By a special decree, the tribunal of the Inquisition, and all the establishments are abolished. All clerical privileges are

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annulled. The right of asylum remains no longer; in consequence the authors of crimes cannot be sheltered from the vengeance of the law.

FORGERIES (1809).—The cant term for false notes were softs and screens; of counterfeit gold, yellows. The paper composing the notes was generally made in Ireland, and the forgeries executed in Birmingham.

A TRUE BILL (1809).—Colonel Wardler *v.* Mrs. Clarke.—The words, a true bill, were endorsed upon it in letters three inches in length.

HIS OWN NOTARY.—General Hawley, who drew up his own will, because of the hatred and suspicion with which he regarded all lawyers, left 100*l.* to his servant, Elizabeth Buskett, because she had proved herself a useful and agreeable hand-maid. The rest of his belongings he bequeathed to his adopted son, but provided that, if he married the said Elizabeth, neither were to inherit a farthing.

He desired his executors to consign his carcase to any place they pleased, and if the parish priest should claim a burial fee, they were to let the puppy have it.

PECULIAR DICTION.—Barnett *v.* Sir John Cox, July 6th, 1805. The plaintiff is an attorney, residing in Soho Square, and this action was brought for money paid for the use of the defendant, and for costs of suit.

Q. How did the Plaintiff get possession of these goods?

A. The ceremony was performed of livery of seisin.

Q. What, of chattel property? Was the plenum dominium obtained by the Shoe, as with the Jews; by the Cloak, as with the Goths; by the Clod, as with the Saxons; or by the Virge, as with us?

A. Sir John obeyed my admonition upon the law of the subject, and gave into my hands a bottle-stand.

CRIM. CON., by the Rev. Charles Massy, against the most noble the Marquis of Headfort. Trial lasted twelve hours. Verdict for plaintiff, 10,000*l.*, at twelve o'clock at night, with costs.—*September*, 1804.

LEGACIES.—As for legacies, they may be for good or evil; for a man must take pen and paper, sit down beside an old fellow, and pretend to take instructions; but a true lawyer never makes any man's will but his own, and as the priest of old got near the dying man and nabbed all for the church, so nowadays the lawyer gets all for the law.—*Steele.*

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BARON THOMSON—Is supposed to be the last judge who pressed a fellow-creature to death. At the Nottingham Assizes in the year 1735, a deaf and dumb person was pressed to death, because he obstinately remained mute till the last.

THE GALLOWS.—On its removal from the elms in Smithfield, in the first year of Henry V., 1413, it was set up at the north corner of St. Giles' Hospital wall, between the termination of High Street and Crown Street, at which place it continued till it was transferred to Tyburn.

EXECUTION OF MONMOUTH.—The executioner now struck the blow, but so feebly or unskilfully, that Monmouth, being but slightly wounded, lifted up his head, and looked him in the face as if to upbraid him, but said nothing. The two following strokes were as ineffectual as the first, and the headsman in a fit of horror, declared he could not finish the work. The sheriffs threatened him; he was forced again to make a further trial, and in two more strokes separated the head from the body.

MARRIAGE.—A kind of legal traffic carried on between the two sexes, in which each is constantly endeavouring to cheat the other, and both are commonly losers in the end.

NOAH.—It has been asserted by some of the patristic writers, Eusebius, Origen, Cadrenus, and others, that Noah made a will, and he certainly had a good deal of land at his disposal; however, there is no trace of such a legal transaction in the Scriptures.

THE CHANCERY COURT IN THE TIME OF SIR T. MORE.—It is said of More, that at his coming into the office of Chancellor, he found the Court of Chancerie pestered and clogged with manie and tedious causes, some having hung there almost twentie years. Before he left the situation, he one day called for the next cause. Upon which he was answered there was "none other upon the list." This, say his biographers, he ordered to be put upon record, as a notable thing. When will this day occur again? At the present time there is one case, the Jennens case—or as it is emphatically called, the Great Jennens case—which has given employment to the profession for more than half a century.

LITIGATION.—When one lawyer has made out a will for a testator, another lawyer, knowing exactly where to look for

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flaws, finds no difficulty in picking them out and converting them into a lawsuit.

A DISPUTE.—A miller's ass, wanting to drink, stepped into a fisherman's boat, which was loosely floating on the water; and being thus put in motion, carried the beast down the stream. A lawsuit was instituted between the parties. The fisherman complained that the miller's ass had stolen his boat. The miller replied to the accusation by saying that the fisherman's boat had run away with his ass. Here issue was joined.—*Christopherus Gross.*

FISH.—In the commonwealth of fishes are many officers. Herring, the king; sword-fish, his guard; lobsters are aldermen; crabs are lawyers, and poor johns the common sort of people.

LITERÆ VOCALES.—Vocal letters. The designation given to lawyers of the House of Commons in the reign of James I., on account of their talking power.—*Bacon.*

A REMARKABLE CIRCUMSTANCE—In the Council of Regency during the minority of Henry VIII., there was not one lawyer, so unpopular had the practices of Empson and Dudley rendered the whole profession.

SCRIVENERS.—Scriveners are most hard-hearted fellowes, for they never rejoice more than when they put other men in bonds.

CROMWELL.—What availed all this gorgeous funeral at a cost of 30,000*l.*? Our ancient monarchs they sleep well, but Cromwell rests beneath the gibbet at Tyburn.

SOME WILLS ABOUT WOMEN.—Will of a jilted bachelor (1610).—A French merchant dying in 1610, left a handsome legacy to a lady who had, twenty years before, refused to marry him, in order to express his gratitude to her for her forbearance, and his admiration for her sagacity in leaving him to a happy batchelor life of independence and freedom.

A Sarcastic Will. A British sailor requested his executors to pay to his wife one shilling, wherewith to buy hazelnuts, as she had always preferred cracking nuts to mending stockings.

Will of John George, of Lambeth, who died in London in June, 1791:—Seeing that I have had the mis-

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fortune to be married to the aforesaid Elizabeth, who, ever since our union, has tormented me in every possible way; that, not content with making game of all my remonstrances, she has done all she could to render my life miserable; that heaven seems to have sent her into the world solely to drive me out of it; that the strength of Samson, the genius of Homer, the prudence of Augustus, the skill of Pyrrhus, the patience of Job, the philosophy of Socrates, the subtlety of Hannibal, the vigilance of Hermogenes, would not suffice to subdue the perversity of her character; that no power on earth can change her, seeing we have lived apart during the last eight years, and that the only result has been the ruin of my son, whom she has corrupted and estranged from me; weighing maturely and seriously all these considerations, I have bequeathed, and I bequeath, to my said wife Elizabeth the sum of one shilling, to be paid unto her within six months after my death.

A will about 1830, has this clause: I leave to my widow the sum of five hundred pounds; but adds the clause, that she is only to come into the enjoyment of it after her death, in order, says this considerate, or more likely injured and outraged husband, "that she may be buried suitably as my widow."

William Durley, of Ash, Herefordshire, left to his wife Mary, one shilling, in recompense of her having picked my pocket of sixty guineas, and taken up money in my name, without my licence.

John Parker, a bookseller, living in Old Bond Street, left his wife fifty pounds in the following words:—

To one Elizabeth Parker, whom through fondness I married without regard to family, fame, or fortune, and who in return has not spared most unjustly to accuse me of every crime regarding human nature, except highway robbery, I bequeath the sum of fifty pounds.

Henry, Earl of Stafford, who followed the fortunes of his royal master, James II., and attended him in his exile to France, married there the daughter of the Duc de Grammont, at the end of the seventeenth century. The marriage turned out unhappily, and after fourteen years' endurance of the disgraceful conduct of his wife, he wrote as follows in his will. To the worst of women, Claude Charlotte

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de Grammont, unfortunately my wife; guilty as she is of all crimes, I leave five-and-forty brass halfpence, which will buy a pullet for her supper—a better gift than her father can make her, for I have known when, having not the money, neither had he the credit for such a purchase, he being the worst of men, and his wife the worst of women, in all debaucheries. Had I known their characters, I had never married their daughter, and made myself unhappy.

Another husband—but, alas, who knows under what provocation, commemorated in his will all the bad qualities of his wife's character, declaring her to be vindictive, violent, cruel, and provoking; while another recorded his testimony to his wife's jealous, calumnious, satirical, and egotistical disposition.

There is no will of a husband so cheerfully obeyed as his last.—*Steele.*

BEQUEST TO BELL-RINGERS.—An annuity of fifty pounds was bequeathed to the bell-ringers of Bath Abbey, by Lieut.-Col. Nash, provided they should muffle the clappers of the bells of the said Abbey, and should ring them with doleful accentuation from 8 a.m. to 8 p.m. on each anniversary of his wedding-day, and during the same number of hours, only with a merry peal, on the anniversary of the day which released him from domestic tyranny and wretchedness.

WEDLOCK.—Wedlock legal is unpleasant, if at least one side does not agree, as it would be heaven if both did; and I believe it so much heaven as to think it never was enjoyed in this world.

PENAL ENACTMENTS.—'Tis a cruel thing to torture the laws that they may torture men, whence penal laws, much less capital laws, should not be extended to new offences.

THE LAW CROWNS ONE FOR THAT WHICH ANOTHER IS TORMENTED.—Ille crucem sceleris pretium tulit, hic diadema—makes a knight, a lord, an earl, a great duke for things for which another would have hung in chains, as a terror to the rest.

——tamen alter,
Si fecisset idem, caderet sub judice morum.

A poor sheep-stealer is hanged for stealing of victuals, compelled peradventure by necessity of intolerable cold,

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hunger, and thirst, to save himself from starving; but a great man in office may securely rob whole provinces, undo thousands, pile and pole, oppress ad libitum, flay, grind, tyrannize, enrich himself by spoils of the Commons, be uncontrollable in his actions, and after all, be recompensed with turgent titles, honoured for his good service, and no man dare find fault or mutter at it.

SIR JOHN SYLVESTER—Recorder of London, was a Jew, who rendered himself obnoxious by the. violence of his temper, and his disregard of the rules of courtesy. He used to call the prisoners' calendar his bill of fare.

BARRISTERS WHO DO NOT LAUGH.—Solemn apes, whose visages do cream and mantle like a standing pool, who are the most despicable of mortals, because they add falsehood and hypocrisy to folly, legal pearl-divers.—*Curran.*

ON the 1st of January, 1825, there were 3230 prisoners on board all the convict hulks in England.

BAR MERRIMENT.—In the course of a trial in the Court of Common Pleas on Wednesday, one of the witnesses stated to Mr. Serjeant Vaughan, who was cross-examining him, that he (the witness) was a twine-spinner and mat manufacturer, and dealt in flax and hemp.

Mr. Serjt. Vaughan. I am sorry to hear, sir, that you deal in hemp (a laugh).

Witness. I dare say you are, sir, for I make ropes to hang lawyers (great laughter).

Mr. Serjt. Vaughan. I hope, sir, you will keep a little for your own use, for you are very likely to want it.

Witness. I shall save enough for you, sir, at all events.

GOVERNOR JOSEPH WALL (January, 1802)—Of the island of Goree, after a trial at the Old Bailey which occupied the time of the court from nine in the morning till eleven at night, was convicted of the wilful murder of Benjamin Armstrong, a sergeant in an African corps, by inflicting 800 lashes, of which he died. He was ordered for execution on the 22nd, and afterward his body to be dissected and anatomized. He was respited twice, and hanged on the 28th inst.

LIBERTY.—Is a power to live according to his own laws. Who hath this liberty?

CHIEF BARON THOMPSON—Had a habit of checking

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witnesses by continually calling out, stay, stay, from whence he got the name of the Old Staymaker.

DISPUTATION.—Jason Magnus and Barth Socinus, two eminent lawyers of Pisa in the fifteenth century, held frequent disputations on law subjects. One day Jason found himself driven hard by his adversary, and cited a law that he had that moment forged, which turned the dispute on his side. Socinus not less quick and ingenious than his opponent, served him the same trick. Jason, who had never heard of that law, called upon Socinus to quote the passage. "It stands in the same page with that you have just cited, replied Socinus with great gravity, and without hesitation.

Jacob le Duchat.

SNARES.—The prophet says, it shall rain snares upon them; but there are no worse snares than the snares of the laws, especially of the penal, which growing excessive in number, and useless through time, prove not a lanthorn, but nets to the feet.

A JEST OF CICERO.—Cicero said of Caninius Revilius who continued consul for only one day, we have had a magistrate of such vigilance, that he has not slept one single night during the whole time of his consulship.

Macrob. Saturnal. lib. II. cap. 3.

PASSPORTS.—In 1799 it was necessary to obtain a legal permit to pass from the kingdom of Ireland to the kingdom of England.

ALGERNON SIDNEY—Was implicated in the Rye House plot, the very existence of which seems, on good authority, to be now denied. In November, 1683, he was tried by a packed jury and a judge selected for the occasion; only one witness appeared against him, but his papers on government were deemed equivalent to another: in these he had asserted that power is delegated from the people to the prince, and that he is accountable to them for the abuse of it. This was ruled by the judge, not only as treason, but blasphemy against the vicegerents of the great Governor of the world. His execution took place on the 7th of December, 1683.

REVISION OF THE LAWS.—Shaftesbury, Maynard, and Chief Justice Hale were members of a committee for that purpose, under the protectorship of Cromwell, and were branded as a collection of ignorant blockheads, who were for

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setting aside the whole body of English law, and substituting the Jewish law in its stead.—*Hume.*

LINCOLN'S INN AT CHRISTMAS.—This society had at this season anciently an officer chosen, who was honoured with the title of King of Christmas-day, because he presided in the hall on that day. This temporary potentate had a marshal and a steward to wait upon him. Upon Childermas-day they had another officer appointed, denominated King of the Cocknies.—*Dugdale's Origines Judiciales, fol.* 247.

REMOVAL OF THE STOCKS.—Those belonging to St. Clement's Danes, in Portugal Street, were removed (August, 1826) from their situation and destroyed, for the purpose of local improvements. These were the last remaining stocks in the streets of London.

HERESY.—It was not till the 29th Charles II. c. 9, that the infamy of the heresy laws was done away with in England. The people could not tolerate the existence of them on the statute-roll. The above Act abolished the writ De hæretico comburendo, and took away all punishment by death for any ecclesiastical cause.

LAWS.—Obsolete laws are ancient fables.—*Justinian.*

SHEEP-STEALING.—288 persons were convicted of this offence in England in the years 1823, 1824, 1825, of whom two were executed. The remainder were transported for life.

A PRETTY TALE OF A COMPLAINANT THAT CRIED TO A JUDGE FOR JUSTICE, YET REFUSED IT WHEN IT WAS OFFERED HIM.—One Dromo, a certayne tiler, sitting on the ridge of a house, laying on certayne roofe, looking back, and reaching somewhat too farre for a little mortar that lay by him, fell backeward, and by good hap fell upon a man that was sitting under the house, whom with his fall he bruised to death, but thereby saved his owne life. Not many days after, a sonne of the dead man's caused this man to bee apprehended for murther, and having him before the judge, cried out for justice, who, asking of the prisoner what he could say for himselfe, received this answer: "Truly, sir, I never thought the man any hurt, neither did I thinke to fall; but since it was my hap to hit upon him to save my life, if it please your lordship, I am content hee shall have justice; for myselfe, I had no malice to his father, though I see he hathe a great deale to me; but let him do his worst, I care not, I aske no favour; let him goe up to the top of the house where I sate, and I will sit

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where his father sate; let him fall from the place as cunningly as he can, and fall upon me to save his life, I will be content. The judge, seeing the man's innocency in intent of any evill to the man whome hee had slayne, willed the complaynant to take this course for his contentment; which hee refusing was dismissed the court, and the prisoner thus by his wit released.

YOUNG BARRISTERS.—One asked why young barristers used to stick their chamber windows with letters. Because, said another, it was the first thing that gave the world notice of their worships.

PREFERRING HANGING TO DROWNING.—Two Irishmen being about to be hanged, the gallows was erected over the margin of a river. When the first man was drawn up, the rope gave way; he fell into the stream, and escaped by swimming. The remaining culprit, looking at the executioner, said with genuine native simplicity, and an earnestness that evinced his sincerity, Do, good Mr. Ketch, if you please, tie me up tight, for if the rope breaks, I'm sure to be drowned, for I can't swim a stroke.

EPITAPH ON A MAYOR OF EXETER.—

Here lies the body of Captain Tully,
Aged a hundred and nine years fully;
And threescore years before, as mayor,
The sword of this city he did bear.
Nine of his wives do by him lie,
So shall the tenth when she doth die.

AMERICAN VERDICTS.—"Death by cancer of the gravel." "From causes unknown to the jury, and having no medical attendance." "Came to his death from national causes; to wit, from sudden cause to the jurors unknown." "From an overdose of gin administered by his own hand." "Disability caused by lunacy." "She come to her death by lighten striken her." "From excessive drinking and laying out in the sun." "Congestion of the brain, an applicote fitze." "The body was so mangle and mutilate that tha could not tell anythink about it, but think it was put into the cisterne by some unknown hand." "Disease of the hart, an applexity fitze." "Colded to death on left side by kettley of hot water burning over his right side and casing his 'death.'" "From the effect of injuries receive by her close accidental taking fire." "From exposier."—*American Newspapers.*

BLUESKIN—Who figures so prominently in Ainsworth's novel, was a thief from his infancy. His real name was

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Joseph Blake. At an early age he joined himself to Jonathan Wild's gang. He came to the gallows for having, in company with Jack Shepherd and one Field, broken into the shop of Mr. Kneebone, a woollen-draper, and stolen cloth to the value of thirty-six pounds. While in Newgate Jonathan told him not to be afraid, as he would bring him some good books to read, and if he behaved well, would buy him a coffin.

A DOUBTFUL OPINION.—When a barrister arrives at an assize town on the circuit, and tacitly publishes that he is willing to take the brief of any client; that he is ready to employ his abilities, his ingenuity, that any given cause is good, or that it is bad: and when, having gone before a jury, he urges the side on which he happens to be employed with all the earnestness of seeming integrity and truth, and devotes the faculties God has given him in promotion of its success—when we see all this, and remember that it was the toss of a die whether he should have done exactly the contrary, I think that no expression characterizes the procedure but that of intellectual and moral prostitution.—*Dymond.*

ADAGES.—Law is a spider's web, in which flies are entangled, but which hornets break through.

"Ubi jus incertum, ibi jus nullum." "Where the law is uncertain, there is no law."

Laws against the press are a veil attempted to be drawn before the altar of human understanding.

Lawyers' gowns are lined with the wilfulness of their clients.

Law cannot persuade where it cannot punish.

Agree, for the law is costly. The Italians say, "Meglio è magro accordo che grassa sentenza," i.e. a lean agreement is better than a fat sentence."

A lawyer is the devil in a doublet.

No law for lying, i.e. a man may lie without danger of the law.

"Ubi major pars est, ibi est totum." "Where the greater part is, there by law is the whole."

VARIUM ET MUTABILE SEMPER.—Woman is at all times an inconstant, or fickle, and changeable thing, an ever-changeable creature. When some sudden and somewhat violent changes of opinion were imputed to a learned judge, who was always jocosely termed Mrs., Varium et mutabile semper, was Sir William Scott's (Lord Stowell's) remark.

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CUSTOM.—Vetustas pro lege semper habetur, ancient custom is always held or regarded as law.

A COURTEOUS HOST.—A well-known lawyer was thus addressed by a polite hotel-keeper: May I ask you, Mr. K., to have your wife's hair always dyed the same colour.

A BURIAL.—On an honest man, who was buried between a parson and a lawyer:—

Like Mecca's tomb hangs
This, 'twixt good and evil;
Heaven holds the left side,
And the right the devil.

AN AUSTERE MAN.—A lawyer's lady, who had several children, told her husband he was like the austere man, who reaped where he did not sow.

COUNSEL'S OPINION.—Not every man will take counsel's opinion, but every man will take money; therefore money is better than counsel's opinion.

CORRUPTIONS.—Laws penned with the utmost care and exactness, and in the vulgar language, are often perverted to wrong meanings; then why should we wonder the Bible is so as well?

LAWS—Are nothing but corruptions, and are consequently of no use to a good king or a good ministry; for which reason all courts are so full of law.

A SYLLOGISM.—The two maxims of a successful pleader, are always to keep his countenance, and to win his client's cause.

THE PLAGUE OF A SMALL TOWN.—A lawyer with great knowledge, great sophistry, and a large practice.

THE FINALE.—An Irish judge, in his summing up in a trial for murder, said, "Well, gentlemen, after this evidence we must drop the subject."

SATIRICAL EPITAPHS.

Here lies what's left of Lawyer Wilson,
Who, some folks say died mad at Bilston!
But others say 'twas not so bad—
Who ever knew a fool go mad?

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Here lies what's left of Lawyer Jesson,
Who taught mankind this useful lesson,—
That when they'd spent their last in law,
He'd cease to wag his nether jaw.

Under this stone
Lies Lawyer Bone,—
He lying lived, and lying died,
For, dying or living, he always lied.

Death brought an action, he could not defend it;
He surrendered his body, thus hoping to end it.
His mistake he found out, for what could be plainer?—
Against his poor soul Satan lodg'd a detainer;
In limbo he lies in most anxious expectment;
That the Judge will release him by way of ejectment;
His hopes are in vain, for on searching we find
The Judge has summ'd up—final judgment is signed
So the lawyer in spite of Coke, Blakestone, and Co.,
With his agent in quod, must remain statu quo.

UPON ANNE ——'S MARRIAGE WITH A LAWYER.—

Annie is an Angel—what if so she be?
What is an Angel but a lawyer's fee?

Note.—In former times there was a gold coin called an angel, the value of which being the exact amount of a lawyer's fee, gave birth to the above epigram.

TRICK AGAINST THE LAW.—A Jew and a Christian, both Italians, united their endeavours in a snuff-shop.

On Saturday, the sabbath, the Jew did not appear; but on Sunday he supplied the place of the Christian. Some scruples were started to the Jew, but he only answered, "Trovata la legge, trovata l' inganno." "When laws were invented, tricks were invented."

A JUDGE'S COMMENTS.—Mr. Justice Maule once addressed a phenomenon of innocence in a smock-frock in the following words: "Prisoner at the bar, your counsel thinks you innocent; I think you innocent; but a jury of your own countrymen, in the exercise of such common sense as they possess, which does not appear to be much, have found you guilty, and it remains that I should pass upon you the sentence of the law. That sentence is that you be kept in imprison-

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ment for one day, and as that day was yesterday, you may go about your business."

The unfortunate rustic, rather scared, went about his business, but thought that law was an uncommonly puzzling thing.

LAWGIVER, LEGISLATOR.—Solomon is esteemed as the lawgiver of the Hebrew nation.—*Bacon.*

A LAW may be very reasonable in itself, although one does not know the reason of the lawgivers.—*Swift.*

LAW-MAKERS.—Their judgment is that the Church of Christ should admit no law-makers but the Evangelists.—*Hooker.*

LAW can discover sin, but not remove it, save by most shadowy expiations.—*Milton.*

LAW.—The devil's plaything.

A TZAR OF RUSSIA.—When Peter the Great returned to his kingdom, he hanged one lawyer as an example to another.

A THIEF'S ADVICE.—A couple of pickpockets followed a gentleman for some distance, with a view of availing themselves of the first opportunity to relieve him of his purse. He suddenly turned into a lawyer's office. "What shall we do now?" asked one. "Wait for the lawyer," said the other.

PENN.—Justice is the insurance which we have on our lives and property.

HANGING A PLEASURE.—Judge Jeffreys found a pleasure in boasting that he had hanged more persons for high treason than all the judges in England since William the Conqueror. And in the sums for his pardons and reprieves, this judge found a more solid delight, for, on his return from the Commission in the West of England, he was enabled thereby to purchase estates amounting in value to nearly forty thousand pounds. When death approached he displayed more abject cowardice than even Robespierre.

HIGH TREASON.—On Saturday, the 13th of October, 1660, betwixt nine and ten of the clock in the morning, Mr. Thos. Harrison, or, "Major-General Harrison," according to sentence, was upon a hurdle drawn from Newgate to the place called Charing Crosse, where, within certain railes lately there made, a gibbet was erected, and he hanged with his face look-

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ing towards the banqueting-house at Whitehall (the place where our late sovereign of eternal memory was sacrificed); being half dead, he was cut down by the common executioner, his bowels burned, his head severed from his bodie, and his body divided into quarters, which were returned back to Newgate upon the same hurdle that carried it; his head set on a pole on the top of the south-east end of Westminster Hall, looking towards London; the quarters of his body in like manner exposed upon some of the City gates.

Thomas Harrison was the son of a butcher. He was chosen by Parliament to bring Charles the First from Hurst Castle, in the Isle of Wight, to London. His arrival there at midnight caused the greatest alarm to the unhappy monarch, who had been informed that he had been deputed to murder him whilst on his journey.

HORACE WALPOLE—Who appears to have been more prejudiced against the learned profession than even Doctor Johnson, used to designate solicitors as those pests of society.

ANGER.—Martial's description of lawyers—Iras et verba locant.

ERASMUS.—Opinion of Erasmus on English lawyers—Doctissimum genus doctissimorum hominum.

DEATH.—Death is the worst that either the severity of laws, or the cruelty of tyrants can impose upon us.—*Seneca.*

THE FIRST MURDER.—Many instances of epitaphs in prose and in verse may be collected from the old Greek poets and historians, who yet were but children compared to the Chaldeans and Egyptians. But the most ancient precedent in history, is in the Old Testament (1 *Sam. vi.* 18), where it is recorded that the great stone erected as a memorial unto Abel by his father Adam, remained unto that day in being, and its name was called the stone of Abel, and its elegy was, here was shed the blood of righteous Abel; as it is also called 4000 years after (*Matt. xxiii.* 35). This is the oldest of monumental memorials and elegies.

ALDERMEN.—Alderman F. was very hard of hearing, and Alderman B. was very hard upon his infirmity; one day a dumb man was brought to the justice-room charged with passing bad notes. B. declined to enter upon the case. "Go to Alderman F.," he said; "when a dumb man utters, a deaf one ought to hear it."

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B. was very hard on V.'s linendrapery. One day he came into court. "I have just come," said he, "from V.'s villa. He had family prayers last night, and begun thus: 'Now let us read the Psalm Nunc Dimities.'"

Alderman A. was never very remarkable for his skill in orthography. A note of his writing is still extant, requesting a brother magistrate to preside for him, and giving literatim the following reason for his own absence: "Jackson the painter is to take me off in my rob of office, and I am going to give him a cit." His pronunciation was equally original. He asked Alderman C. just before the 9th of November, whether he should have any men in armour in his "Shew!" Guildhall and its images were always uppermost with Alderman A. It was he who so misquoted Shakespeare, "A parish beadle, when he's trod upon, feels as much corporal suffering as Gog and Magog!"

THE BENCH.—One day on the Bench there was a dispute, as to the difficulty of catch-singing. Alderman B. struck in, "Go to Cheshire, the hangman, he'll prove to you there's a good deal of execution in a Catch!"

QUAINT EPITAPHS.

ON A MAGISTRATE WHO HAD FORMERLY BEEN A BARBER.—

Here lies Justice; be this his truest praise:
He wore the wig which once he made,
And learnt to shave both ways.

ON MR. JAMES STRAW, AN ATTORNEY.—

Hic jacet Jacobus Straw,
who forty years, sir, followed the law,
and when he died,
the devil cried,
"Jemmy, gie's your paw."

ON A LAWYER NAMED TELL.—

He lies all the day like a knave;
He lies all his night-hours away;
And when dead he will lie in the grave,
And tell lies till the judgment day.

ON MR. GRIPE.—

Here lies old Lawyer Gripe,
Who never cried "Jam satis!"

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'Twould wake him did he know
You read his tombstone gratis.

WILLIAM THE CONQUEROR.—William abolished all the laws of England, that he might introduce those of his own country: he ordained the lawyers to plead in the Norman tongue, and all the public acts were expedited in that language till the time of Edward III.; it is pretended he affected tyrannical caprices: they instance the law called couvrefeu, or curfew, by which at the sound of a bell, all the fires in every house were extinguished at eight o'clock in the evening. But this law, far from being tyrannical, is no other than an old ecclesiastic regulation, established in almost all the ancient cloisters of the north. The houses were wholly built of wood, and the fear of fire was one of the most important objects of the general police.—*Voltaire.*

THE BEAST'S CONFESSION TO THE PRIEST.—

The lawyer swears, you may rely on't,
He never squeez'd a needy client;
And this he makes his constant rule,
For which his brethren call him fool;
His conscience always was so nice,
He freely gave the poor advice;
By which he lost, he may affirm,
A hundred fees last Easter Term;
While others of the learned robe
Would break the patience of a Job;
No pleader at the Bar could match
His diligence and quick despatch.

Swift.

MOSES.—As to the antiquity, Moses has undoubtedly a right to precedence before all lawgivers; for Lycurgus, Solon, Zaleucus of Locris, with the rest of the eminent Greeks they so much boast of, were all but novices and upstarts compared to Moses. The very name of law was not as yet so much as heard of, and Homer himself wanted a word for it. The people in those days were not governed by written precepts, but by the absolute will and pleasure of kings, and so it held a long time by authoritative orders and provisions to answer the occasion.

But this lawgiver having his claim of priority granted him by his enemies, acquitted himself likewise to admiration in all the offices of administration and council: first in composing such a body of laws as might answer all the neces-

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sities of human life; and after that, in getting them received among the people, with a declaration that they would maintain and obey them.

VERSES ON MARRIAGE.—M. Paquier, a celebrated advocate, and author of the *Recherches de la France*, was unhappily married. His wife was continually quarrelling with her domestics, or her husband, if he did not join in her complaints. In the first book of his epigrams he thus sets forth his unpleasant situation:—

Nulla dies nobis, non horula præterit ulla,
Non punctum, nullus temporis articulas
Quo non væ miseris servis succenseat uxor,
Succensetque mihi, ni simul ipse querar!
Illius ad nutum totus componor, et idem
Pacificus cum sim, tristia bella gero.
Sic mihi pax bello, sic bellum pace paratur,
Et placide ut possim vivere, vivo miser.
Sic vel cum servis, vel conjuge litigo sic est,
Hei mihi conjugium litigiosus amor.

No day, no hour, no moment is my house
Free from the clamour of my scolding spouse!
My servants all are rogues and so am I,
Unless for quiet's sake I join the cry.
I aim in all her freaks my wife to please;
I wage domestic war, in hopes of ease.
In vain the hopes, and my fond bosom bleeds,
To see how soon to peace mad strife succeeds;
To find, with servants jarring, or my wife,
The worst of lawsuits is a married life.

A JUSTICE OF PEACE IN FORMER TIMES—Is one that has a patent for his wit, and understands by commission, in which his wife and his clerk are of the quorum. He is judge of the peace, but has nothing to do with it until it is broken, and then his business is to patch it up again. His occupation is to keep the peace, but he makes it keep him, and lives upon the scraps of it, as those he commits do on the common basket. The constable is his factor, and the jailor the keeper of his warehouse, and rogues and thieves his goods.—*Butler.*

LAWS OF NATURE.—The stronger have undoubted power to command the weaker. But in religion and the civil life the wisest and ablest are fain to comply and submit to the

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weakest and most ignorant, for their own quiet and convenience. The Judaical and Levitical law was delivered by God to Moses, the civil magistrate, and by him to Aaron, the priest.

CLIENTS AND DIFFICULTIES.—A client is fain to seek aid of his lawyer to keep him from the injury of other lawyers, as Christians that travel in Turkey are forced to obtain Turks to protect them from other Turks.

THE DECALOGUE.—The Jewish doctors report that the Ten Commandments were written in such a manner that not one single letter more could have been placed there. Would to God that the laws of our Creator were so amply engraved in the human heart as to fill every corner of it in such a way that nothing else could find the possibility of lodging there!

PROFESSOR OF LAW.—

The nymphs with scorn beheld their foes
When the defendant's counsel rose,
And, what no lawyer ever lacked,
With impudence own'd all the fact.

Swift.

CONTRARY TO LAW.—

Take not the quarrel from his powerful arms,
He needs no indirect nor lawless course
To cut off those that have offended him.

Shakespeare.

We cite our faults that they may hold excus'd our lawless lives.—*Shakespeare.*

ATTORNEY, ITS DERIVATION.—"Attornatus," law Latin, from "tour," Fr. Celui qui vient à tour d'autrui; qui alterius vices subit.—*Johnson.*

I will attend my husband; it is my office;
And will have no attorney but myself,
And therefore let me have him home.

Shakespeare.

AN ADVOCATE.—"Bon avocat, mauvais voisin."—*French proverb.* A good lawyer is a bad neighbour.

Auro pulsa fides, auro venalia jura,
Aurum lex sequitur, mox sine lege pudor.

Propertius.

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GOLD.—By gold all good faith has been banished; by gold our rights are abused; the law itself follows gold, and soon there will be an end of every modest restraint.

MAXIMS.—Consensus facit legem, consent makes the law.

When the parties make an agreement, the terms are of their mutual willing, and are no longer a matter for legal consideration, if not against the law.

Consuetudo pro lege servatur, custom is to be held as a law.

This and the preceding quotation only go to show the principle that where customs have prevailed from time immemorial, they obtain the force of laws.

"Corruptissima republica, plurimæ leges."—*Tacitus.* When the state is most corrupt, then are the laws most multiplied.

A BOER JUDGE.—On Ryenet, an iniquitous Dutch judge at the Cape of Good Hope.

Here lies in death, who living always lied,
A base amalgam of deceit and pride;
A wily African of monstrous shape,
The mighty Quinbus Flestrin of the Cape.
Rogue paramount, ten thousand rogues among,
He rose and shone like phosphorus from the dung;
The wolf and fox their attributes combined
To form the odious features of his mind;
Where kennelled deep by shame, by fear unawed,
Lurk'd supine, villainy, deceit, and fraud,
Hypocrisy, servility, and lust,
A petty tyrant and a judge unjust;
Partial and stern in every cause he tried,
He judged like Pilate, and like Pilate died.
Urged to despair, by crimes precluding hope,
He chose a bullet, to avoid a rope.
Consistent knave! his life in cheating passed,
He shot himself, to cheat the law at last.
Acme of crimes, self-murder crowned the whole,
And gave to worms his corpse—to fiends his soul.

COURTS OF JUSTICE.—For the most part commit greater crimes than they punish, and do those that sue in them more injuries than they can possibly receive from one another; and yet they are venerable, and must not be told so, because they have authority and power to justify what they do, and the law (that is, whatsoever they please to call so) ready to give judgment for them.

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LAW—Is like that double-formed, ill-begotten monster that was kept in an intricate labyrinth and fed with men's flesh, for it devours all that come within the mazes of it, and have not a clue to find the way out again.

"QUAMDIU se bene gesserit," Lat.: "As long as he shall conduct himself properly." A phrase first used in the letters patent granted to the Chief Baron of the Exchequer. All the judges now hold their places under this tenure: they were formerly held "durante bene placito," that is, "during the Sovereign's pleasure."

"AUTREFOIS ACQUIT," Fr.: "Formerly acquitted." A plea by which the culprit states that he has been tried for the same offence and found "Not guilty," a not unusual occurrence.

RUDENESS.—Dr. Johnson observed to a numerous company, concerning a gentleman who had just quitted the room, "I don't care to speak ill of any man behind his back, but I believe the person who has taken his departure is an attorney."—*Æt.* 61.

ON AN ATTORNEY.—

Here lyes ten in the hundred,
In the ground fast ram'd:
'Tis an hundred to ten,
But his soule is damn'd.

CROSS-EXAMINATION.—An invention, the effect of which is to draw whatever you please from an innocent man with delicate nerves, and to save a robust criminal.

BRAMBLES.—The Kentish name for a lawyer.

SALOMON, A JEW ATTORNEY—Fell into a lake at Tewsbury, upon a Saturday; a Christian offered to pull him out, but he refused, because it was the Sabbath day of the Jews, whereupon the Christian would not suffer him to be drawn out upon the Sunday, being the Sabbath of the Christians, and there he lay.

Tende manus, Salomon, ego te de stercore tollam.
Sabbata nostra colo, de stercore surgere nolo.
Sabbata nostra quidem, Salomon, celebrabis ibidem.

GARRICK.—"Garrick produces more amusement than anybody." Boswell: "You say, Dr. Johnson, that Garrick exhibits himself for a shilling. In this respect, he is only on a footing with a lawyer, who exhibits himself for his fee, and even will maintain any nonsense or absurdity, if the case require it.

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Garrick refuses to play a part he does not like." Johnson: "Why, sir, what does this prove? only that a lawyer is worse."

ARBITRARY LAWS.—Firearms, which often burst in the hands that use them.

A VENERABLE BARRISTER—Kept a tame carrion crow that used to steal pieces of money, and hide them in a hole, which the cat observing, asked why he would hoard up those round shining things that he could make no use of? Why, said the carrion crow, my master hath a whole chest full, and maketh no more use of them than I do.

A LEARNED LAWYER—Who had received wine for a regard, or remembrance, from the Abbot of Merton, who had entertained him in a cause, sent these two verses, as standing upon his integrity against bribes, and requiring rather good evidence than wine:—

Tentavi temerè vino te posse movere,
Non movi verè, sed moveberis ære.
Vinum non quæris, sed tinnit, si sonus æris,
Et spe ducaris, forsitan alter eris.

RELIGIOUS LAWS.—A useful and sacred stream, when they flow within the bounds of the state; a frightful torrent, when they rise above them.

UPON A LAWYER AND HIS WIFE, WHO DID NOT AGREE ONE WITH ANOTHER.—

Hic jacet ille, qui centies et mille,
Did scold with his wife,
Cum illo jacet illa quæ communis in villa,
Did quittance his life:
His name was Nick, the which was sicke,
And that very male:
Her name was Nan, which lov'd well a man,
So gentlemen, Vale.

LAWS OF PLATO—Set down that an epitaph should be comprised in four verses. The Lacedemonians reserved this honour for martial men and chaste women; the most ancient, and especially Greek, were written in elegiac verse, after in prose.

M. HEYWOOD, THE GREAT EPIGRAMMIST IN THE REIGN OF QUEEN MARY.—When one said that the number of lawyers would marre the occupation, he answered, "No; for alwaies the more spaniels in the field, the more game."

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ASSISTANCE—"Vigilantibus non dormientibus servit lex.' The law only protects those who require no protection.

QUÆSTIO FIT DE LEGIBUS NON DE PERSONIS.—In a court of judicature regard must be had to the letter and meaning of the law, and not to the truth or justice of the case.

LORD THURLOW'S POLITENESS TO A LADY.—When staying in a country-house his lordship astonished a party of visitors by replying to a lady who pressed him to take some grapes: Grapes, madam, grapes! did not I say a minute ago that I had the gripes?

BEDS OF JUSTICE—Established by Charles (V.) the Wise, King of France, 1380. They were composed of creatures of the Court and law officers of the State, who registered any measures they thought would be of advantage to themselves. The edicts acquired all the force of law.

FIVE ALLS.—I pray for all, I rob all, I maintain all,—the parson, the lawyer, the farmer. I fight for all, I take all,—the soldier, the devil.

SIGN-BOARDS.—The law is very badly represented. The Judge's Head is the only sign in honour of this branch of civilization.

> My lawyer's clerk I lighted on last night
> In Holborn at the Dagger.

JOHNSON.—Dr. Johnson having argued for some time with a clever attorney, his opponent, who had talked in a very puzzling manner, happened to say, "I don't understand you, sir," upon which Johnson observed, "Sir, I have found you an argument, but I am not obliged to find you an understanding."

ATTORNEY-GENERAL.—Diabolus regis.—*Wilkes.*

A DECLARATION.—

> Fee simple, and the simple fee,
> And all the fees in tail,
> Are nothing when compared to thee,
> Thou best of fees—fe-male.

AN HONEST LAWYER.—Ben Jonson, goeing through a church in Surrey, seeing poore people weeping over a grave, asked one of the women why they wept. "Oh!" said she, "wee have lost our pretious lawyer, Justice Randall. He

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kept us all in peace, and was always so good as to keep us from goeing to law; the best man that ever lived."

DICHÆUS DICHÆANUS.—Noted for his violence of temper; no valuable characteristic of the magistrate. It happened one day an advocate came to him to explain the suit of his client, and to request a speedy decision. In the course of the conversation the advocate showed such superior skill in the law, and such pre-eminence in argument, that Dichæus became very angry, and evinced that he at least excelled in bodily strength by knocking down the advocate. Scarcely had Dichæus retired into another room when one of his fellow-judges, arrayed in similar garments, entered; and the advocate, by an unfortunate mistake, avenged upon his carcase the drubbing he had received from our judge.—*Rossi's "Pinacotheca."*

INNS.—

Gray's Inn for walks,
Lincoln's-Inn for a wall,
The Inner Temple for a garden,
And the Middle for a hall.

TRAITOR'S BRIDGE.—"A loyal heart may be landed under Traitor's Bridge." This is a bridge under which there is an entrance into the Tower, over against Pink Gate, formerly fatal to those who landed there; there being a muttering that such never came forth alive, as dying, to say no worse, therein, without any trial. The proverb importeth that innocence overpowered with adversaries may be accused without cause, and disposed of at the pleasure of others.

A HEBREW PROVERB.—Woe be to him whose advocate becomes his accuser.

THE BLOODY CIRCUIT.—In A.D. 1685 Judge Jeffreys opened his court at Dorchester, Exeter, Taunton, and Wells. It is computed that 330 human beings lost their lives. Whole counties was strewed with their heads and limbs. For these services Jeffreys was vested with the dignity of Chancellor.

LORD TENTERDEN.—Attorneys of a past generation by degrees assumed the title of solicitor. To attorneys so doing Lord Tenterden extended neither courtesy nor forbearance. "What are you, sir? Who are you?" he inquired of an attorney who was pushing through the crowded Court of King's Bench. "I am the plaintiff's solicitor, my lord,"

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answered the unwary practitioner. "The plaintiff's solicitor!" responded the judge with a contemptuous accent on the title. "We know nothing of solicitors here, sir; had you been in the respectable rank of an attorney, I should have ordered room to be made for you."

BROW-BEATING AT THE BAR.—Brougham is a volcano, an eruption, a devouring flame, a storm, a whirlwind, a cataract, a torrent, a sea-thunder, an earthquake. You might apply the same terms, with the same truth, to a Billingsgate fish-wife. Brougham's invective is formidable, chiefly for its vulgarity. One hates, loaths, fears to be pelted with the mud and missiles of an infuriated demagogue, just as a gentleman declines the proffered combat with a carman, although conscious that in three rounds he would leave the ruffian senseless in the ring. *Noctes Ambrosianæ.*

THE JOURNEY TO BRUNDUSIUM.—Next day we arrived at Fundi, where Ausidius Lascus was Prætor, with whose vanity we were highly diverted, for he strutted about in his Prætexta, adorned with the latus clavus, and caused to be carried before him a censer with burning coals.*—*Horace.*

* The Prætexta was a gown whose edges were bordered with purple. The clavus critics are divided upon. The censer of burning coals was carried before emperors and those possessed of sovereign authority, not before a subordinate of the law.

THE LAST COUNSEL.—

One Guillet, his race upon earth almost run,
Thus sagely advised his too diffident son:
"Like a true limb of the law, would you live at your ease?
Ne'er boggle on any side, lad, to take fees;
Keep clear of a noose, though you merit to swing,
And be sure to sell justice for what it will bring."
"Sell justice?" retorted his wondering heir,
"A thing of such value, so precious, so rare;
Sell justice?" "Aye, sell it, and that out of hand.
You extravagant rascal! if 'tis as you say,
A thing of such price, would you give it away?"

FEMININE DECEIT.—A widow, occupying a large house in a fashionable quarter of London, sent for a wealthy solicitor to make her will, by which she disposed of between fifty and sixty thousand pounds. He proposed soon after, was accepted, and found himself the happy husband of a penniless adventuress.

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HE MAY WHET HIS KNIFE ON THE THRESHOLD OF THE FLEET.—The Fleet was a place notoriously known in former times as a prison, so called from Fleet Brook running by it, to which some were committed for contempts, and more for their debts. The proverb is applicable to such who never owed aught, or having run into debt, have crept out of it, so that now they may triumphare in hostico, and live an honest, peaceful existence.

A PLEADER—One who argues in a court of law, for or against, according to which side he is interested in.

> The brief with weighty crimes was charged,
> On which the pleader much enlarged.
>
> *Swift.*

A REFUSAL.—An advocate having lately gained a suit for a poor and by no means prepossessing young lady, she remarked, "I have nothing to pay you with, sir, but my heart." "Hand it over to the clerk, if you please ; I wish no fee for myself," he replied.

NO REDEMPTION FROM HELL. — There was a place partly under, and partly by the Exchequer Chamber, commonly called Hell (I could wish it had another name, seeing that it is ill jesting with edged tools), formerly appointed a prison for the king's debtors, who never were freed from thence until they had paid their utmost due.

ANTIQUE ABUSE.—Root out those causes of wrangling, a multitude of laws and controversies, lites lustrales et seculares, by some more compendious means.

Whereas now for every toy and trifle they go to law, mugit litibus insanum forum, et sævit invicem discordantium rabies (*Boterus*), they are ready to pull out one another's throats ; and for commodity to squeeze blood out of their brothers' hearts, defame, lye, disgrace, backbite, rail, bear false witness, swear, forswear, fight, and wrangle, spend their goods, lives, fortunes, friends, undo one another to enrich an happy advocate, that preys upon them both, and crys Eia Socrates, Eia Xantippe; or some corrupt judge, that like the kite in Æsop, while the mouse and frog fought, carried both away.

Hierom.

BOROUGH BAILIFF.—

> Who to law was train'd,
> A wife and sons in decent state maintain'd ;

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He had his way in life's rough ocean steer'd,
And many a rock and coast of danger clear'd ;
He saw where others fail'd, and care had he,
Others in him should not such failings see ;
His sons in various busy states were placed,
And all began the sweets of gain to taste.

Crabbe.

ROMAN INFORMERS.—

When Lawyer Matho's new-built chair I meet,
Filled with himself, slow carried through the street ;
When next th' informer's equipage I see,
Rais'd on the spoils of wreck'd nobility ;
The fell informer, whose relentless hate,
Plans the last ruin of the plunder'd great ;
The spy of spies, whom Carus bribes for life
With heaps of gold, Latinus with his wife ;
When nat'ral heirs are robb'd, and he succeeds
Who earns his legacies by am'rous deeds,
His legacies, that measured by the men,
Yield Proculeius five, and Gillo ten ;
Skulks from the Lyons pleader's bloodless face,
Cold as the naked foot that stirs a snake,
And all for lucre's ignominious sake.

Juvenal, Sat. IV. 41.

Ut teneat se?
Causidici nova cum veniat lectica Mathonis,
Plena ipso : et post hunc magni delator amici,
Et cito rapturus de nobilitate comesa,
Quod superest, quem Massa timet, quem munere palpat
Carus, et a trepido Thymele summissa Latino.
Cum te summoveant, qui testimenta merentur
Noctibus, in cœlum quos evehit optima summa,
Nunc via processus, vetulæ vesica beatæ
Unciolam Proculeius habet, sed Gillo deuncem ;
Partes quisque suas, ad mensuram inquinis hæres ;
Accipiat sane mercedem sanguinis et sic
Palleat, ut nudis pressit qui calcibus anguem,
Aut Lugdunensem rhetor dicturus ad aram.

Matho started in Rome as an advocate, but soon became a rich informer. Informers were called by the Romans quadruplatores, as well as delatores. The name arose from their enjoying the fourth part of the confiscated estate—quartæ partis hæredis.

Carus and Massa were professional rivals.

LYONS PLEADER.—A contention of lawyers was instituted by Caligula at Lyons in France, where was a famous altar, and where he that was overcome was to write the praises of his conqueror, and to bestow a reward upon him. If he did extremely displease the auditory, he wiped out his own lines with a sponge, but generally with his tongue; unless he chose rather to be punished with a ferula, and ducked over head and ears in the next river.—*Strabo and Suetonius.*

AN UNINTENTIONED TRUTH.—The late Judge "K——n" one day had occasion to examine a witness who stuttered very much in delivering his testimony. "I believe," said his lordship, "you are a very great rogue." "Not so great a rogue as you my lord—t-t-t-t-take me to be."

POETS AND THE LAWS.—Poets tell us that Ceres was the first that taught the Athenians the use of laws; in memory of which benefit they celebrated the festival called *θεσμοφόρια*, fasta in Cereris honorem.

> ——Mactant lectas de more bibentes,
> Legiferæ Cereri——
>
> *Virgil.*

> To Ceres, who first showed the use of laws,
> They offer lambs cull'd out of bleating flocks.

A TATTOOED ATTORNEY.—"There is a New Zealand attorney just arrived in London, with 6*s.* 8*d.* tattooed all over his face. Yes, he has spent all his life in letting down buckets into empty wells, and is frittering away his age in trying to draw them up again."—*Sydney Smith.*

JUSTICE BOLT.—

> In conquest mighty and of conquest proud,
> Was Justice Bolt, impetuous, warm, and loud;
> His fame, his prowess all the country knew,
> And disputants, with one so fierce, were few;
> He was a younger son, for law design'd,
> With dauntless look and persevering mind;
> While yet a clerk for disputation fam'd,
> No efforts tir'd him, and no conflicts tam'd.
>
> *Crabbe.*

JUDGES AND BRIBES.—Sir John Bennett, Judge of the Prerogative Court, was in the year 1621, accused, convicted, and censured in Parliament, for taking bribes, and committing several misdemeanours relating to his office.

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SALIQUE LAW.—A French gentleman discoursing with an English one, of the Salique Law, that excludes women from inheriting the Crown of France, the English gentleman said that it was meant of women themselves; not of such males as claimed by women.

The French gentleman asked, "Where do you find that gloss?" The English one replied, "Sir, look on the backside of the Salique Law, and there you will find it indorsed;" implying that the Salique Law is but mere fiction.

A Friar of France, in earnest dispute about the Salique Law, would needs prove it by Scripture; citing that verse of the Gospel, "The lilies of the field do neither labour nor spin:" applying it thus, that the flower-de-luces of France cannot descend, neither to the distaff, nor to the spade; that is, to women, nor to peasants.

Salic, or Salique Law, lex salica, an ancient and fundamental law of the kingdom of France, in virtue whereof males only are to inherit. In 1317 the Duke of Burgundy attempted to claim the kingdom for his niece the Princess Jeanne. But the king immediately assembled the States General, and a formal decree was published by that body declaring that females are incapable of inheriting the crown of France. In order to give colour to this usurpation the lawyers cited an obscure article from the code of the barbarous Salians, "De terrâ Salicâ nulla portio hæreditatis mulieri veniat; sed ad virilem sexum terræ hæreditas perveniat." This adroit quibbling met with acceptance, and ever since that time the Salic law, as it is called, has been regarded as an essential constitutional principle in France.

A DUBLIN ATTORNEY AND HIS CLIENT.—An attorney in Dublin, having dined by invitation with his client, several days pending a suit, charged 6*s.* 8*d.* for each attendance, which was allowed by the master on taxing costs.

In return for this, the client furnished the attorney with a bill for his eating and drinking, which the attorney refusing to pay, the client brought his action and recovered the amount of his charge. But he did not exult in his victory; for in a few days after the attorney lodged an information against him before the Commissioners of Excise for retailing wine without a licence; and not being able to controvert the fact, to avoid an increase of costs he submitted, by the advice of counsel, to pay the penalty, a greater part of which went to the attorney as informer.

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A lawyer quite famous for making a bill,
And who in good living delighted,
To dinner one day with a hearty good will
Was by a rich client invited.
But he charged six and eightpence for going to dine,
Which the client he paid, though no ninny,
And in turn charged the lawyer for dinner and wine,
One a crown and the other a guinea,
But gossips, you know, have a saying in store,
He who matches a lawyer has only one more.
The lawyer he paid it and took a receipt,
While the client stared at him with wonder,
With the produce he gave a magnificent treat,
But the lawyer soon made him knock under.
That his client sold wine, information he laid,
Without licence, and in spite of his storming,
The client a good thumping penalty paid,
And the lawyer got half for informing ;—
But gossips, you know, have a saying in store,
He who matches a lawyer has only one more.

COCK-CROWING.—

Agricolam laudat juris legumque peritus,
Sub galli cantum consultor ubi otia pulsat,
Ille, datis vadibus, qui rure extractus in urbem est
Solos felices viventes clamat in urbe.

Horace, Sat. I.

A lawyer, when his client knocks at the gate before cock-crowing (sub galli) commends the easy, undisturbed life of the peasant. The peasant again, who having given bail for his friend (datis vadibus), is drawn from his farm to town, protests that they who live in town are the only happy people.

Before cock-crowing (sub galli): it was the practice of the Roman advocates to open their gates by break of day, on pretence of given advice gratis, but in reality to increase their business.

BAIL.—(Datis vadibus). Vades were properly those who gave surety for a friend. Torrentius says, if they failed to appear, their surety had an action against them, and might seize their goods. This was called Actio vadimonii deserti. The persons, therefore, who had given bail never deserted their sureties but in the most desperate cases.

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BAIL.—Fr. Bailler.—

Worry'd with debts, and past all hopes of bail,
Th' unpity'd wretch lies rotting in a jail.

Roscommon.

And bribe with presents, or when presents fail,
They send their wretched wives to bail.

Dryden.

THE TWELVE BISHOPS.—When they had bailed the twelve bishops, who were in the Tower, the House of Commons, in great indignation, caused them immediately to be recommitted to the Tower.—*Clarendon.*

AN AMICABLE PROPOSAL.—Magistrate: "You are sentenced to three days' imprisonment on bread and water for begging and vagrancy." Prisoner: "Couldn't your worship let me have better fare? I wouldn't mind being locked up a few days longer!"—*Unterhaltungsblatt.*

DEATH SENTENCES—Present some curious facts both in England and Wales during the last fifty years. It appears that even as late as 1833, when the table commences, so common was it to pass death sentences for offences of a trivial kind, that out of nine hundred and thirty-four such sentences in that year, only nine were for actual murder: the extreme penalty was really carried out only in thirty-three cases.

In the four years 1879-82, there have been one hundred and seven condemnations, whereas the executions have been fifty-one only.—*Report by the Directors of Convict Prisons.*

A YORKSHIRE JUDGE ON THE DIFFERENCE BETWEEN THE ACTIVE AND PASSIVE VOICE.—Having condemned a human being to death for horse-stealing, the prisoner said, "My lord, it's hard I should be put to death for stealing a horse." The judge replied, with his blandest smile, "Pardon me, my good man, I do not hang you for stealing a horse, but that horses should not be stolen."

The court forsakes him, and Sir Balaam hangs.

Pope.

SIR WALTER RALEIGH AND COKE.—Coke in his pleadings was apt to insult over misery. Of this we have a detestable instance in his behaviour to Sir Walter Raleigh.

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He inveighed against that brave man on his trial with all the bitterness of cruelty, and in a style of such abandoned railing as bordered almost on fury; I wish I could not add that this bitterness, this intemperance of tongue, seem to be the genuine effusions of his heart.—*State Tryals*, vol. i. p. 207.

Coke observed, I know with whom I deal; for we have to deal to-day with a man of wit. Thou art the most vile and execrable traytor that ever lived.

Sir W. Rawleigh. You speak indiscreetly, barbarously, and uncivilly.

Coke. I want words sufficient to express thy viperous treason.

Sir W. Rawleigh. I think you want words indeed, for you have spoken one thing half a dozen times.

Coke. Thou art an odious fellow; thy name is hateful to all the realm of England for thy pride.

Sir W. Rawleigh. It will go near to prove a measuring cast between you and me, Mr. Attorney.

Coke. I will now make it appear to the world, that there never lived a viler viper upon the face of the earth than thou. Thou art a monster; thou hast an English face, but a Spanish heart. Thou viper! for I thou thee, thou traitor! Have I angered you?

Sir W. Rawleigh replied, what his dauntless conduct proved, "I am in no case to be angry."

Coke soon after presented himself on his knees before the Council-table, and grovelled on the floor, his body shrunk with dejection and tears. The room in which he was lodged in the Tower had formerly been a kitchen; on his entrance Coke read upon the door—

This room wants a Cook.

COKE'S CHARACTER.—His wit was often ill-aimed, as it was always indelicate and coarse, the horse-play of a pedant. Though he had accumulated immense wealth in his profession and by several rich marriages, he was of a sordid avarice, a severe master, a griping landlord. In prosperity insolent, dejected and fawning in adversity; the same poorness of spirit influencing his behaviour in both conditions. One example of this may serve in place of several. After his disgrace, he submissively courted Buckingham's brother to a match with his daughter; in the height of his favour, he had rejected the same proposal with scorn.

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MR. GUNN.—A well-known judge often relieved his judicial wisdom with a touch of humour. One day during the trial of a case, Mr. Gunn was a witness in the box, and, as he hesitated a good deal, and seemed unwilling, after much persistent questioning, to tell what he knew, the judge said to him, "Come, Mr. Gunn, don't hang fire." After the examination had closed, the Bar was convulsed by the judge adding, "Mr. Gunn, you can go off; you are discharged."

LAW *v.* CHURCH.—Of the two the law is decidedly the best profession, but the aspirant then must have an iron digestion, and must be as regular as the town clock, or he may as well retire.

Attorneys expect in a lawyer the constancy of the turtle-dove.—*Sydney Smith.*

OFFICES OF ATTORNEY AND SOLICITOR-GENERAL—Have been the rocks upon which many aspiring lawyers have been shipwrecked.

ITALIAN.—"Al confessor, medico, ed avocato, il vero celato." Hide nothing from thy minister, physician, and lawyer.

JACK KETCH'S KITCHEN.—"I saw," says Mr. Ellwood, who found himself in Newgate in the beginning of Charles II.'s reign, "the heads when they were brought up to be boiled, the hangman fetched them in a dirty dust basket out of some by-place, and setting them down among the felons, he and they made sport of them. They took them up by the hair, flouting, jeering, and laughing at them; and then giving them some ill names, boxed them on the ears and cheeks, which done, the hangman put them into his kettle, and parboiled them with bay salt, and cummin seed, that to keep them from putrefaction, and this to keep off the fowls from seizing on them."

A DREADFUL SENTENCE.—On Tuesday, 16th October, 1660, betwixt nine and ten of the clock in the morning, Mr. John Cook, the solicitor for the People of England, and Mr. Hugh Peters, the fanatical preacher, were carried on two hurdles and executed, hanged until half dead, cut down by the common executioner, and their bowels burned. The head of Mr. John Cook, solicitor to the People of England, was set on a pole on the north-east end of Westminster Hall, on the left of Mr. Harrison's, looking towards London, and the head of Mr. Peters on London Bridge.

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Their quarters were exposed in like manner upon the tops of some of the city gates. An Impartial Accompt of the Regicides and Murtherers of His Sacred Majesty of Most Glorious Memory. *Printed at the Green Dragon in St. Paul's Church Yard, and at the White Swan in Little Britain*, 1660.

AN EPITAPH.

Here lieth one, believe it if you can,
Who though an attorney was an honest man,
The gates of heaven shall open wide,
But will be shut against all the tribe beside.

GREEK.—Αιει κολοιος προς κολοιον ἱζανει. A jackdaw always gets alongside of another jackdaw. Κολοιος, a word sometimes used in Gree comedy for an advocate.

HURDLE.—Grate (Latin, crates) on which criminals were dragged to execution.

Settle your fine joints 'gainst Thursday next, or I will drag thee on a hurdle thither.—*Shakespeare.*

The blacksmith was hanged, drawn, and quartered at Tyburn; taking pleasure upon the hurdle, to think he should be famous in after-times.—*Bacon.*

GREEN BAGS.—During Queen Anne's reign, and for some considerable period after, the profession carried a green bag in their hands. In the time of Charles II. clients were accustomed to revile their attornies as green bag carriers.

Widow Blackacre upbraids the barrister who declines to argue for her, as "You puny upstart in the law, you green bag carrier, you murderer of unfortunate cases, the clerk's ink is scarce off your fingers."—*Wycherley's "Plain Dealer."*

YORKSHIRE.—From Hell, Hull, and Halifax, deliver us.

Halifax is formidable for the law thereof, whereby thieves taken ἐπαυτοφόρῳ, in flagrante delicto, in the very act of stealing cloth, were instantly beheaded with an engine, without any further unnecessary proceedings.

PIE POUDRE (Fr.).—The Court of Pie Poudre is the lowest court recognized in England; the name is somewhat doubtful. Coke says that it has its name because justice is done as speedily as dust can fall from the foot.

The more satisfactory derivation is from "pied puldreaux," a pedlar in old French. A court of petty chapmen,* such as resort to fairs and markets.

* Chapman—ceapman, Saxon.

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Their chapmen they betray,
Their shops are dens, the buyer is their prey.
Dryden.

CLIENT (cliens, Latin)—One who applies to an advocate to assist him from his own folly.

This due occasion of discouragement, the worst conditioned and least clienteed petivogeurs do yet, under the sweet bait of revenge, convert to a more plentiful prosecution of actions.
Carew.

ON MR. SPARGES.—

Here lyeth Lawyer Sparges
That dyed to save charges.

MARRIAGES OF HEIRESSES.—Those who had no legitimate sons were obliged by the Athenian laws to leave their estates to their daughters, who were confined to marry their nearest relations, otherwise to forfeit their inheritance. This law was practised by the Jews, many of whose laws seem to have been transcribed by Solon.

These sole heiresses, or only co-heiresses, were called by Solon himself περιχληρίτιδες or ἐπίκληροι, and sometimes μάνδαι; *vide* Eustathius.

The forementioned law concerning the marriages of heiresses gave occasion to one of the comedies of Appodorus entitled Ἐπιδικαζομένη (*Donatus.*) This was translated into Latin by Terence, and called Phormio.

Lex est, ut orbæ, qui sint genere proximi,
Iis nubant, et illos ducere eadem
Hæc lex jubet. *Terence.*

The law commands that orphans marry those
That nearest are ally'd, and that the men
Consent to join with these.

ON SEEING MR. CARR, THE ATTORNEY-AT-LAW, TAKE COACH FOR TYBURN.—

Struck with surprise I view'd the daring wight
Intrepidly prepare for partial fight
With cloudy greatness like some noble slave
He look'd disdain on crowds that term'd him knave
While in my breast indignant passion rose
In sounds like these the short liv'd madness glows
From murder free and crimes against the state
To die for theft thou know'st not to conceal
When thy fraternity per legem steal

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And did justice impartial decide sans reproaches
They all by St. Andrew would ride in their coaches
Clifford's Inn, July 24, 1738.
N.B.—We lawyers ne'er make stops.

PECULATION.—My Lord Chancellor Macclesfield was this session found guilty of peculation in his high office and fined 30,000*l.*, A.D. 1727.

JULIUS CÆSAR.—Julius Cæsar constantly had these two lines of Euripides in his mouth.—*Tully.*

Nam si violandum est jus, regnandi gratiâ
Violandum est; aliis rebus pietatem colas.

Be ever strictly just, except a throne
Come in thy reach, then—Justice, get thee gone.

The lines in the original—

Ειπερ χαραδικειν χρη,
Τυραννιδος περι
Καλλισον αδικειν, τἀλλα
δ' ευσεβειν χρεων,

are the answers of Eteocles to his mother, who is persuading him to restore the kingdom to his brother Polynices, whom he had defrauded of it.—*The Phœnissæ of Euripides.*

M. FAURE, COUNSELLOR-AT-LAW,—Speaking of his new penal code, said that he had provided a clause that if a husband should surprise his wife in flagrante delicto, he had a right to put her and her paramour to death. In the evening this was made the subject of conversation, and M. de Talleyrand, who was always ready to hold his wife up to ridicule, by provoking her with silly observations, made a sort of interrogatory motion of the head, to which Madame de Talleyrand replied, "It must be admitted that such laws are made only for totally ill-bred men."

THE NEAPOLITANS ARE VERY FOND OF LAW.—One of the Popes made an application to the Viceroy of Naples for a supply of 30,000 head of swine.

The Viceroy answered, that for the swine they could not be spared; but if his Holiness had any occasion for 30,000, lawyers, they were much at his service.

The administration of law at Naples seems to have been contrived for the express ruin of litigants.

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QUOTATIONS.—The ancient lawyers used to quote at the bar till they had stagnated their own cause.

Revenons-nous à nos moutons, was the cry of the client.

GOOD ADVICE.—The admonition of the poet Hesiod to his brother, to prefer a friendly accommodation to a litigious law-suit, has fixed a paradoxical proverb often applied, πλεὸν ἥμισυ παντὸς, or the half is better than the whole.

SIR NICHOLAS BACON,—When a certain nimble-witted counsellor at the bar interrupted him often, replied, There is a great difference betwixt you and me: a pain to me to speak, and a pain to you to hold your tongue.

TRUTH IS NOT LAW.—"That is true enough, Mr. George, to a certain extent. But, my good fellow, even an innocent man must take ordinary precautions to defend himself."

"Certainly, sir, and I have done so. I have stated to the magistrates, 'Gentlemen, I am as innocent of this charge as yourselves.' I intend to continue stating that, sir. What more can I do? It's the truth!"

"But the mere truth won't do," rejoined my guardian.

"Won't it, indeed, sir? rather a bad look-out for me!" Mr. George observed.

"You must have a lawyer," pursued my guardian. "We must engage a good one for you—"

"I ask your pardon, sir," said Mr. George, but I must decidedly beg to be excused from anything of the sort."

"You won't have a lawyer? Why not?"

"I don't take kindly to the breed," said Mr. George. "Gridley didn't. I should hardly have thought you did yourself, sir."

"That's equity," my guardian explained, a little at a loss; "that's equity, George."—*Dickens.*

THE RED HAND, OLD SCOTCH LAW.—That when a murderer is caught in the very act of guilt, or as they call it red-handed, he may be immediately executed without any formality or delay.—*Noctes Ambrosianæ.*

Gabriel was a preacher of the kirk, employed as tutor in a gentleman's family in Edinburgh, where he had for pupils two fine boys of eight and ten years of age. His pupils observed him kiss a girl one day, in an anteroom; the boys told their mother. Sunday next this juvenile Presbyterian took the two boys to a lone place—with a large clasp-knife stabbed the elder to the heart, and with the bloody knife slew

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the other—was immediately seized by a horror-stricken multitude, and hanged "red hand," within an hour of the deed—the knife being suspended round his neck. Gabriel's Road remains to this day.—*Lockhart.*

OYSTERS.—This was the payment of a wager which M. de Tallyrand had won of the Duke of Laval.

The oysters, according to the conditions agreed upon, were to be furnished for twelve persons : moreover the winner was to have the right of naming the ten other guests. Did M. de Talleyrand in this case, act as everybody else would have done, and invite ten of his friends ? No such thing. He made very careful inquiries for ten of the greatest oyster-eaters in Paris ; these he chose for his guests, so that the Duke de Laval had to pay for 500 dozen.

M. Cloisseau, an advocate, was appointed king of the feast. To the great satisfaction of M. de Talleyrand, who did not pay, this gentleman, without the least hesitation swallowed fifty-four dozen, after which he stopped, alleging, as a pretence, that he must partake of the other dainties of the breakfast.

FISHING.—

Flags.—"A fortune."

Isaac.—"But I caught a trout."

Further on we come up with Claws, a lawyer, who is pleasantly described as "a legal cuttle-fish," troubling clear water with pounce and ink—the "disease of the village."

"There's an odd story about you," pursues malicious Isaac Perch, "it is that, according to Pythagoras, you were bred in the land of Brobdignag—ay—that you were a worm there—and that one of the giants, having used you for a bait to catch sharks, you slipped from the hook, were taken aboard ship, brought to this village, and, entering on your second state, became a pettifogging lawyer."—*D. Jerrold.*

PROPERTY.—Who would believe, says a French writer, that in matters of literary property, England, whose laws are daily offered to us as models, is at this day as barbarous as we were in France sixty years ago.

THE DOWNFALL OF CHARING CROSS.—

Undone, undone, the lawyers are,
They wander about the towne,
Nor can find the way to Westminster,
Now Charing Cross is downe ;

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At the end of the Strand, they make a stand,
Swearing they are at a loss,
And chaffing, say, that's not the way,
They must go by Charing Cross.

NOTE.—Neither its ornamental situation, the beauty of its structure, nor the noble design of its erection could preserve it from the merciless bigotry of the times—it was demolished by order of the House of Commons, as popish and superstitious.

Whitelocke says, May 3, 1643: "Cheapside Cross and other crosses were voted down."

There is a very curious account of the pulling down of Cheapside Cross in one of the numbers of the *Gentleman's Magazine*, 1766.

SCOTTISH PROVERB.—A wise lawyer ne'er gangs to law himsel.

WITNESSES. — From time immemorial legal practice has recognized two ways of dealing with them, to badger them with insulting questions as soon as they show themselves in the box, or the simpler method of tampering with them outside. No man in his time could surpass George Jeffreys; but on more than one occasion that personage, in his most overbearing moments, met with his master in the witness whom he meant to brow-beat.

"You fellow in the leathern doublet," he exclaimed to a countryman, whom he was about to cross-examine, "pray, what are you paid for swearing?" "God bless you, sir, and make you an honest man," answered the farmer, looking the barrister full in the face, and speaking with a voice of hearty good-humour; "if you had no more for lying than I have for swearing, you would wear a leathern doublet as well as I."

QUEEN ELIZABETH.—Coke extols the mercy of Elizabeth in the trials of Essex and Southampton, because she had not used torture against their accomplices or witnesses. The truth is, lawyers are rarely philosophers; the history of the heart, read only in statutes and law-cases, presents the worst side of human nature: they are apt to consider men as wild beasts; and they have never spoken with any great abhorrence of what they so erroneously considered a means of obtaining confession.

Long after these times, Sir George Mackenzie, a great lawyer in the reign of James II., used torture in Scotland.

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We have seen how the manly spirit of Felton, and the scruples of the Commons, wrenched the hidden law from judges who had hitherto been too silent ; and produced that unexpected avowal, which condemned all their former practices.

But it was reserved for better times, when philosophy combining with law, enabled the genius of Blackstone to quote with admiration the exquisite ridicule of torture by Beccaria. —*I. D'Israeli.*

NAVAL LAW.—The rapacity of Admiralty law bears the same proportion to the stomach of common law, as that of a shark to a pike.

It is quite wonderful to perceive the appetite of lawyers when fairly stimulated by sea-breezes and salt water, with no chance, as in common cases, of disgorging.

They pick a prize to the very bones, and again and again bring in a bill for labour of mastication. In truth, the appetite of a lawyer afloat is enough to make a cormorant blush through his back.—*Jerrold.*

MARRIAGE.—Figure to yourself an unfortunate girl leaving her convent ; she has just attained her fifteenth year ;—on the following day she is married, the marriage articles, or rather the deed of sale, is drawn up by the lawyer, who is paid his blood-money. An aged man waits in the drawing-room, his trembling limbs totter beneath him ; forty years of debauchery have wrinkled his pallid brow ; his sunken and lack-lustre eyes bespeak the ravages of a dissipated life. When he speaks, his quivering and flaccid lips show his thin and withered tongue protruding from his teethless jaws. Such is the husband of the youthful bride. The marriage puts an end to a law-suit.—*M. de Talleyrand.*

ITALIAN.—Go not for every grief to the physician, for every quarrel to the lawyer, nor for every thirst to the pot.

A SUN-DIAL.—In the garden of St. Clement's Inn was a statue of a negro supporting a sun-dial, upon which are inscribed the following lines :—

" In vain, poor sable son of woe,
Thou seek'st the tender tear ;
From thee in vain with pangs they flow,
For mercy dwells not here.

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From cannibals thou fled'st in vain ;
Lawyers less quarter give,
The first won't eat you till you're slain,
The last will do't alive."

LAND.—

He that holdeth his lands in fee,
Need neither to quake nor to shiver,
I humbly conceive ; for look, do you see,
They are his, and his heirs for ever.

ERRORS.—

Lives of great men misinform us,
Campbell's lives in this sublime,
Errors frightfully enormous,
Misprints on the sands of time.

DIFFERENT OPINIONS.—With my cozen Roger and Mr. Goldsborough to Gray's Inne to his counsel, one Mr. Rawworth, a very fine man, where it being a question whether I, as executor, should give a warrant to Goldsborough, in my reconveyancing estate back again, the mortgage being performed against all acts of the testator ; my cozen said he never heard it asked before ; and the other that it was always asked, and that he never heard it denied or scrupled before, so great a distance was there in their opinions, enough to make a man forswear ever having to do with law ; so they agreed to refer it to Serjeant Maynard.—*Samuel Pepys.*

THE ISLE OF WIGHT HATH NO MONKS, LAWYERS, NOR FOXES.—That they have monks, I know ; black ones at Carisbrook, white ones at Quarrer, in this island. That they have lawyers, they know when they pay them their fees ; and that they have foxes their lambs know. But of all these, perchance fewer than in other places of equal extent.—*Speed's Catalogue of Religious Houses.*

RABELAIS.—The inscription set upon the Great Gate of Thelema—

Here enter not attornies, barraters,
Nor bridle-champion-law practitioners ;
Clerks, commissaries, scribes, nor Pharisees,
Wilful disturbers of the people's ease,
Judges, destroyers, with an unjust breath,
That, like dogs, worry honest men to death.

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We want not your demurrers, nor your pleas,
So at the gibbet go and seek your fees;
We are not for attendance or delays,
But would with ease and quiet pass our days;
Law-suits, debates, and wrangling,
Hence are exil'd and jangling.
Here we are very
Frolic and merry,
And free from all entangling
Law-suits, debates, and wrangling".

EXPENDITURE.—The Jews spend at Easter, the Moors at marriages, and the Christians in suits of law.

LORD BROUGHAM.—

'Tis said of Lord B., none is keener than he
To spit a wild boar with éclat;
But he never gets near to the brute with his spear,
He gives it so very much law.

Hood.

BREACH OF PROMISE AND A NONSUIT.—A Dakota schoolmistress sued three young men for breach of promise. Counsel for one of the defendants moved for a nonsuit, on the ground that she was too promiscuous. The Court seemed disposed to grant the motion, whereupon the plaintiff asked, "Judge, did you ever go out duck shooting?" His Honour's eyes lighted up with the pride of a sportsman as he answered, "Well, I should say so; and many's the time that I've brought down a dozen at a shot." "I knew it," eagerly added the fair plaintiff; "that's just the case with me, judge. A flock of these fellows besieged me, and I winged three of them." The motion for a nonsuit was denied.

A SMALL ATTORNEY *v.* A BIG BARRISTER.—A little lawyer appearing as a witness in one of the courts, was asked by a gigantic barrister what profession he was of, and having replied that he was an attorney, "You a lawyer!" said Briefless. "Why I can put you in my pocket!" "Very likely you may," rejoined the other; "and if you do, you will have more law in your pocket than ever you had in your head."

THE RACK.—Anne Askew was tortured in the Tower in 1546. The Lord Chancellor, throwing off his gown, drew the rack so severely, that he almost tore her body asunder.—*Bishop Burnet.*

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STAR CHAMBER.—Among the several abuses of the process was that in the time of Queen Elizabeth, many solicitors who lived in Wales, Cornwall, or the farthest parts of the north, did make a trade to send forth a multitude of subpœnas to vex their neighbours, who, rather than they would travel to London, would give them any composition, though there was no colour of complaint against them. The process might anciently be served in any place; in Catholic times usually in the market or the church.—*Timbs.*

GOOD MONEY.—"Sir," said a barber to an attorney who was passing his door, "will you tell me if this is a good seven-shilling piece?" The lawyer pronouncing the piece good, deposited it in his pocket, adding, with great gravity, "If you'll send your lad to my office, I'll return the fourpence."

THE FALCON AND THE HERON.—It is the relation of a gentleman, that, seeing a falcon let fly at a heron, he observed with what clamour the heron entertained the sight and approach of the hawk, and with what winding shift he strove to get above her, labouring even by bemuting his enemy's feathers to make her stag-winged, and to escape; resuming courage out of nothing, he turned face against her, and striking the hawk through the gorge, both fell down together.

This sight doth much resemble some great lawsuit in law, where one, trusting more to his cause's potency than his cause's equity, endeavours to disinherit his stubborn neighbour by colourable title to his land. Here you may hear the clamorous obloquies of the wronged, and see the many turnings and winding meanders of the law, sought out to get above his adversary; and then when the issue must come to trial, often times in the grapple they both sink to beggary, whilst lawfully they seek to get above the other.

SIR JOHN LEACH.—

A judge sat on the judgment seat;
A goodly judge was he;
He said unto the registrar,
"Now call a cause to me."
"There is no cause," said registrar,
And laughed aloud with glee,
"A cunning Leach hath despatch'd them all;
I can call no cause to thee!"

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CHANGE.—A well-known lawyer, when about to start on a railway journey, after taking his seat, found on looking over his change, that the clerk had given him a shilling too much. He accordingly returned, and informing the clerk of his mistake, handed back the money. For a moment the clerk stood speechless, then recovering himself, exclaimed, "Please stand still one moment, and let me look at you—and a lawyer too!"

PROVERBS—Embrace the wide sphere of human existence, they take all the colours of life, they are often strokes of genius, they delight by their airy sarcasm or their caustic satire, the luxuriance of their humour, the playfulness of their turn, and even by the elegance of their imagery, and the tenderness of their sentiment. They give a deep insight into domestic life and open for us the heart of man in all the various states which he may occupy. A frequent review of proverbs should enter into our readings; and although they are no longer the ornaments of conversation, they have not ceased to be the treasures of thought.—*I. D'Israeli.*

ON THE GREAT SEAL BEING STOLEN FROM LORD THURLOW'S HOUSE.—

"The rugged Thurlow, who, with sullen scowl,
In surly mood at friend and foe will growl,
Of proud prerogative the stern support,
Defends the entrance of great George's court
'Gainst factious Whigs, lest they who stole the seal,
The sacred diadem itself should steal.
So have I seen near village butcher's stall,
If things so great may be compared with small,
A mastiff guarding, on a market-day,
With snarling vigilance, his master's tray."

The Rolliad.

WESTMINSTER.—Every man almost lives like a salamander in the fire of contention. Witness the multiplicity of lawsuits, the swarme of lawyers, the sholes of clerks and registrers, that are to be found in the midst of us; witness the clouds of clyents, dancing upon the Courts of Justice in the severall judicatures at Westminster and elsewhere; so that what the apostle said to the Corinths, is there not a wise man among you, why do you go to Law?" may very well be inverted upon us. We are all mad, or else the lawyers would have less employment.—*Thos. Stapleton.*

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BANDS.—During the reign of Queen Anne, legal practitioners were particular to wear bands, in order to show they belonged to the profession.

HENRY MARTEN, THE REGICIDE AND JUDGE OF THE ADMIRALTY AND DEAN OF ARCHES.—

For thirty years, secluded from mankind,
Here Marten lingered; often have these walls
Echoed his footsteps, as with even tread,
He paced around his prison: not to him
Did Nature's fair varieties exist:
He never saw the sun's delightful beam,
Save when through yon high bars it pour'd a sad
And broken splendour.
Dost ask his crime?
He had rebelled against the king and sat
In judgment on him.

THE SUBJECT OF LAW ABUSES IS A FRUITFUL ONE.—The County Courts Bill is before Parliament. Q. declares that John Ball may defy the bow-string; but can he laugh at that fatal ligament—lawyers' red tape? He may snap his fingers at the knout; but can he smile at that Beelzebub's blister—legal parchment? . . . Turkey has her Robbers, Russia her Cossacks—and England her Attorneys.

Douglas Jerrold.

PESTS OF SOCIETY.—There is not a more intolerable nuisance in the world than an inquisitive, intermeddling, false friend. Nothing more formidable than an opulent scoundrel, and an avaricious judge.—*Chevreau.*

BON MOT OF LOUIS IX.—When this Prince heard that Nicholas Raulin, Law Chancellor of the Province of Burgundy, who was a most notorious extortioner and usurer, had in his latter days founded a hospital for indigent persons, Louis observed that it was but barely an act of justice in a man who had reduced so many to poverty, at least to provide them with lodgings.

JUDICIAL PARSIMONY.—Lord Kenyon studied economy even in the hatchment put over his house in Lincoln's Inn Fields, after his death, the motto certainly was found to be "Mors janua vita," this being supposed to be the mistake of the painter. But, when it was mentioned to Lord Ellenborough,

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"Mistake," exclaimed his lordship, "it is no mistake. The considerate testator left particular directions in his will that the estate should not be burdened with the expense of a diphthong!"

SERJEANT THEREFORE.—Kelly's nickname at the Irish Bar. Curran used to say this curious lawyer was a perfect human personification of a non sequitur. For instance, meeting Curran one Sunday, near St. Patrick's, he said to him, "The Archbishop gave an excellent discourse this morning; therefore, I shall make a point of being in the Four Courts to-morrow at ten."

At another time, observing to a person whom he met in the street, what a delightful morning it was, he remarked, "Therefore, I will go home as soon as I can, and stir out no more the whole day."

ON SIR JOHN LEACH.—

Mr. Leach
Made a speech,—
Angry, neat, and wrong;
Mr. Hart,
On the other part,
Was right, and dull, and strong;
Mr. Parker
Made the case darker,
Which was dark enough without;
Mr. Cooke
Cited a book,
And the Chancellor said, I doubt.

Sir Geo. Rose.

CHECKMATE.—A Scotch judge who, after pronouncing sentence of death upon a former companion, whom he found it difficult to beat at chess, added, "And now, Donald, my man, I've checkmated you for once."

A NOTORIETY OF THE TEMPLE.—Miss Flight, known to Dickens' readers, was a fact, every inch of her. She would stop the most learned judges when in full swing of their awful judgments; and used to shake her poor lean fist at the embodiment of wisdom in horsehair, and exclaim, "Oh, you wicked man, oh, you vile man, give me my property. I will issue a mandamus, and have your habeas corpus,"—and then depart triumphant from the court.

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MURRAY, THE LAWYER, AND SARAH OF MARLBOROUGH.—One night the great Sarah called without appointment at Murray's chambers, and waited till past midnight in the hope that she would see the lawyer ere she went to bed. But Murray, being at an unusually late supper-party, he did not return until her Grace had departed in an overpowering rage. "I could not make out, sir, who she was," said Murray's clerk, describing her Grace's appearance and manner, "for she would not tell me her name; but she swore so dreadfully that I am sure she must be a lady of quality."

ASSEMBLY OF NOTABLES.—Versailles, Paris, nay, the whole of France might be taken for a vast mad-house.

From one end of the kingdom to the other, the lawyers are beginning to apply their loquacious and pernicious industry to Government questions.

THE TRIAL OF THE DUCHESS OF KINGSTON FOR BIGAMY.—Lord Bathurst, the Lord Chancellor, thus gravely addressed her Grace: "Madam, the Lords have considered the charge, and evidence brought, and have likewise considered of everything which you have alleged in your defence; and upon the whole matter their lordships have found you not guilty of the felony wherewith you stand charged; but on dismissing you their lordships earnestly exhort you not to commit the same crime a second time."

ON MR. GREVES AN ATTORNEY.—

Hascention day on the ninth of May,
Third year of King James' reigne,
To end my time, and steal my coyne,
I, William Greves, was slaine.

1605.

FINDING A VERDICT.—"Jury," said a Western judge, "you kin go out and find a verdict. If you can't find one of your own, git the one the last jury used." The jury returned with a verdict of "Suicide in the ninth degree."

THE KEEPERS OF DAMASKED SEALS.—King William IV. having entrusted the seal bearing George II.'s image to Lord Brougham, Lord Lyndhurst disputed his right to possess it. The king acting as arbitrator, terminated the quarrel by a decision which was, like all arbitrations, directly in defiance of principle, precedent, and law.

To one lawyer the reverse of the seal was awarded, to the other the obverse; to conciliate both lawyers the king directed

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that each part should at his own royal cost be set in a rich silver salver.

In Lord Eldon's will mention is made of his salvers containing George III.'s Great Seal.

EIGHT REQUIREMENTS.—A man who deliberates about going to law should have, first, a good cause; secondly, a good purse; thirdly, an honest attorney; fourthly, good evidence; fifthly, able counsel; sixthly, an upright judge; seventhly, an intelligent jury; and with all these on his side, if he has not, eighthly, good luck, it is odds he miscarries his suit.—*Selwin.*

TO A JUDGE WHO TALKED ABOUT MORALS AND JUSTICE.—

Thou disgrace to the Bench! whom each freeman must hate,
That thou about "morals and justice" shouldst prate,
Would surely excite all our wonder,
Had not that old saying so oft met our ears,
That, when likely to forward his schemes, it appears,
The devil himself from the Scriptures can plunder.

NORMAN FRENCH.—Minutes of charges delivered to different Grand Juries. The jury are directed to inquire, "de ceux que voila purtraiture le picture del Dieu semble al un homme one grey beard; car ceo est un damnable offence, il n'est d'etre measures. Heaven is his throne and earth is his footstool, et pur ceo que voile, undertake the measure. Another Grand Jury is informed, "Car jeo dye pur leur amendment, ils seant semblable als vipers labouring to eat out the bowells del terre, which brings them forth. De Jusuits leur positions sont damnable. La Pape a deposyer Royes ceo est le badge et token del Antichrist. Doyes etre careful to discover eux. Receivers of stolen goods are semblable a les horse-leeches, which still cry, Bring, bring.

THE GORHAM CASE.—

Argument for.

Baptized a baby,
Fit sine labe;
As the Act makes him,
So the Church takes him.

Argument Against.

Unless he be fit
We very much doubt it;
And devil a bit
Is it valid without it.

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Judgment.

Bishop and vicar,
Why do you bicker,
Each with his brother,
Since both are right,
Or one is quite
As wrong as the other ?

Adjudication.

Bishop nonsuited,
Priest unrefuted,
To be instituted,
Costs deliberative ;
Pondering well,
Each take a shell,
The lawyers the native.

Sir G. Rose.

LIBEL.—A man who, with a deliberate purpose, or, as is frequently the case, with no purpose at all, speaks or writes against his conscience. By a judicial phantom, truth is a libel.

Our statesmen all boast that in matter of treason,
The law of Old England is founded on reason,
But they own that when libel comes under its paw,
It is rarely, indeed, that there's reason in law.

DEBT.—In eighty-eight, when the Queen went from Temple Bar along Fleet Street, the lawyers were ranked on one side, and the Companies of the City on the other : said Mr. Bacon to a lawyer who stood next him. Now observe the courtiers ; if they bow first to the citizens they are in debt ; if first to us, they are in law !

CICERO AND THE JUDGES.—There was a law made by the Romans, against the bribery and extortion of the governors of provinces ; whereupon Cicero said in a speech to the people, that he thought the provinces would petition the State of Rome to have that law repealed, for, said he, the governors bribed and extorted before, as much as was sufficient for themselves, but now they bribe and extort not only for themselves, but for the judges and jurors and magistrates.

HUMAN JUSTICE.—A matter of frequent complaint and text of invective or sarcasm against the law is its uncertainty. The uncertainty lies in the nature of things, in the case to be tried, and not in the law.

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BASKET JUDGES (Country).—The Basket Judges received presents or bribes from the parties who came before them —game, poultry, and other contributions were dropped into the baskets from which they derive their name. This was no worse a substitute for the salary than the other mode which succeeded it, of making revenue out of the fees, the lion's share of which found its way into the pockets of his Worship on the Bench.—*Fielding.*

TRADING JUSTICES (Town).—Mr. Jonathan Thrasher, one of the Justices of the Peace for the liberty of Westminster, before whom the watchmen took their prisoners, was utterly without legal knowledge; but, if he was ignorant of the laws of England, was yet well versed in the laws of nature, that is, was never indifferent to a cause but when he could get nothing on either side; this worthy boasted he made a thousand a year out of the place.

The plan of the trading justice was to make the party find bail. This bailing was the mainstay and instrument of his trade.—*Fielding.*

IN HEAVEN.—A friend said of a great lawyer, just then dead, who pretended to some religion, but was none of the best livers, "Well, I hope he is in heaven. Every man thinks as he wishes, but if he be in heaven, 'twere pity it should be known."

COURT OF ARCHES,—The business included, in Chaucer's time, and down nearly to the present, cases

> Of defamation and avouterie,
> Of Church reves and of testaments,
> Of contracts and lack of sacraments,
> Of usury and simony also.
>
> *Chaucer.*

A REASONABLE REQUEST.—"I wish to ask the court," said a lawyer, who had been called to the witness-box to testify as an expert, "if I am compelled to come into this case, in which I have no personal interest, and give a legal opinion for nothing?" "Yes, yes, certainly," replied the mild-mannered judge; "give it for what it is worth!"

MILTON.—Some are allured to the profession of law, grounding their purposes not on the prudent and heavy contemplation of justice and equity, which was never taught them, but on the promising and pleasing thoughts of litigious terms and fat fees.

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IN CHANCERY.—Once when the counsel of the parties set forth the boundaries of the land question, by the plot, and the counsel of one part said, "We lie on this side, my lord," and the counsel of the other part said, "We lie on this side," the Lord Chancellor Hatton stood up, and said, "If you lie on both sides, whom will you have me believe?"

DRUMS.—Where drums speak out, laws hold their tongues.

THE LULLABY OF A FEMALE CONVICT TO HER CHILD THE NIGHT PREVIOUS TO HER EXECUTION.—

Sleep, baby mine, as I press thee to my bosom,
Thy cries they pierce against my bleeding breast;
Sleep, baby mine, not long thou'lt have a mother
To lull thee fondly in her arms to rest.

Baby, why dost thou keep this sad complaining,
Long from mine eyes have kindly slumbers fled;
Hush, hush, my babe, the night is quickly waning,
And I would fain compose my aching head.

Poor wayward babe! and who will heed thy weeping,
When soon an outcast on the world thou'lt be;
Who then will soothe thee, when thy mother's sleeping
In her low grave of shame and infamy.

Sleep, baby mine, to-morrow I must leave thee,
And I would snatch an interval of rest;
Sleep these moments, ere the laws bereave thee,
For never more thou'lt press a mother's breast.

KETCH—JACK KETCH.—A general name for the finishers of the law, or hangmen, ever since the year 1682, when the office was filled by a famous practitioner of that name, of whom his wife said that any bungler might put a man to death, but only her husband knew how to make a gentleman die sweetly.

This officer is mentioned in "Butler's Ghost," published in 1682, in the following lines:—

Till Ketch, observing he was chous'd,
And in his profits much abus'd,
In open hall the tribute dunn'd,
To do his office, or refund.

Mr. Ketch had not long been elevated to his office, for the name of his predecessor, Dun, occurs in the former part of this poem,—

For you to act Squire Dun,
Such ignominy ne'er saw the sun.

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The addition of "Squire," with which Mr. Dun is here dignified, is a mark that he had beheaded some State criminal for high treason, an operation which, according to custom, for time out of mind, has always entitled the operator to that distinction.

The predecessor of Mr. Dun was Mr. Gregory Brandon from whom the gallows was called the Gregorian tree, by which name it is mentioned in the prologue to "Mercurius Pragmaticus," a tragi-comedy, acted at Paris, 1641.

FIT FOR THE LAW.—An old lady walked into a solicitor's office, when this conversation took place:—

Lady. Squire, I called to see if you'd like to take this boy and make a lawyer of him.

Lawyer. The boy appears very young; how old is he?

Lady. Seven years, sir.

Lawyer. He is too young—decidedly too young. Have you no older boys?

Lady. Oh, yes, I have several; but we have concluded to make farmers of the others. I told my good man that I thought this little fellow would make a first-rate lawyer, and so I called to see if you would take him.

Lawyer. No, ma'am, he is too young yet to commence the study of the law. But why do you think this boy so much better calculated for a lawyer than your other boys?

Lady. Why, you see, sir, he is just seven years old to-day When he was only five, he'd lie like all nature; when he got to be six, he was sassy and impudent as any creature could be; and now he'll steal everything he can lay his hands on.

PREACHERS.—The remark that many of our successful lawyers commenced life as preachers, was gracefully corrected by a legal gentleman, who begged to state he began life as an infant.

SIR JOHN MORE.—I would compare the multitude of women which are to be chosen for wives, unto a bag full of snakes, having among them a single eel; now, if a man should put his hand into this bag, he may chance to light on the eel; but it is an hundred to one he shall be stung by a snake.

His son, Thomas More, wrote in rather a different style before marriage, stirred from brain to foot by the flowing locks of his Cara Elizabetha:—

Jam subit illa dies ludentem obtulit olim
Inter virgineos te mihi prima choros.

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Lactea cum flavi decuerunt colla capilli,
Cum tua perstringunt oculos duo sidera nostros,
Perque oculos intrant in mea corda meos.

After marriage, the young gentleman was not so poetical.

THE STOICS.—This sect maintained, all ought to be punished with the same severity, and allowed no distinction in crimes.

FRIEND OF HUMANITY.—

Tell me, knife-grinder, how came you to grind knives?
Did some rich man tyrannically use you?
Was it the squire, or parson of the parish, or the attorney?
Was it the squire for killing of his game, or
Covetous parson for his tithes distraining?
Or roguish lawyer, make you lose your little all in a law-suit?

Canning.

BEILBY'S BALL.—He will dance at Beilby's ball, where the sheriff pays the music; he will be hanged. Who Mr. Beilby was, or why that ceremony was so called, remains, with the quadrature of the circle, the discovery of the philosopher's stone, and other desiderata, yet undiscovered.

LAW—Is like a sieve, you may see through it; but you will be considerably reduced before you can get through it.

CHIEF JUSTICE HALE AND MARTIAL ARDOUR.

Tell not us of issue male,
Of simple fee and special tale,
Of feoffments, judgments, bills of sale, and leases:
Can you discourse of hand-grenadoes,
Of sally ports and ambuscadoes,
Of counter-scarps and palisadoes, and trenches?

Hale, when a youth, conceived a desire to fight under the Prince of Orange in the Low Countries.

IN THE CHURCH AT BECCLES IS THE FOLLOWING REMARKABLE EPITAPH, WRITTEN IN LAW STYLE.—Hic jacet corpus Thomæ Wrongey, generosi, unius attornatorum domini Regis de Banco apud Westm. Justa libertates et privilegia ejusdem curiæ, tertio die Aprilis, privilegio suo non obstante, morte arrestatur; hic in sepulcri prisona detinetur; nec aliqua legis subtilitate ab eadem ante generalem gaolæ deliberationem liberandum; cum Christus ad totum terrorum orbem judicandum venerit. In English thus: Here lies the body of Thomas Wrongey, gent., one of the Attorneys of the

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King's Bench, Westminster. According to the liberties and privileges of the same court, on the third day of April, his privilege notwithstanding, it was arrested by death, and is here detained in the prison of the grave; from which it shall not by a quirk be again delivered before the general gaol delivery, when Christ shall come to judge the whole world.

OFFICE OF A JUDGE.—What can be more severe, or unjust than to see a nation where by lawful custom the office of a judge is to be bought and sold, where judgments are to be paid for with ready money, and where justice may be legally denied to him that has not the wherewithal to pay; a merchandize in so great a repute, as a government to serve in a fourth estate of wrangling lawyers, to add to the ancient ones of the Church, nobility, and people?—*Montaigne.*

A SIMILE.—Law is like an ignis fatuus; those who follow the delusive guide too often find themselves inextricably involved in a bog.

THE WIG AND THE WAG.—A barrister entered one of the four courts with his wig placed on his head in a very affected and whimsical manner, which soon attracted attention, and caused much laughter. Seeing Curran, among others, smiling, he, in the most dignified manner, turned upon him, and requested to know whether he saw anything in his wig that moved his laughter. "No, my dear sir, nothing," replied Curran, "nothing but your head."

SCROGGS.—

A butcher's son's judge capital,
Poor Protestants to enthral,
And England to enslave, sirs:
Love both our laws and lives we must,
When to do justice, we entrust
So known an arrant knave, sirs.

His father once exempted was,
Out of all juries; why? because
He was a man of blood, sirs,
And why the butcherly son (forsooth)
Should now be judge and jury both,
Cannot be understood, sirs.

The good old man, with knife and knocks,
Made harmless sheep and stubborn ox

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Stoop to him in his fury;
But the bribed son like greasy oaf,
Kneels down and worships golden calf,
And massacres the jury.

Justice in Masquerade.

DUGDALE states he was the son of a one-eyed butcher near Smithfield Bars, and his mother was a big fat woman, with a red nose like an ale wife. Others that he was descended from the ancient Welsh family, Kilmaddocks of Kilmaddocks.

This extraordinary man may be considered as having been of some use to his country by making the character of a wicked judge so frightfully repulsive that he may have deterred many from giving way to his bad propensities. *Lord Campbell.*

A SPECIAL JURY.—Judge Dodderidge having at Huntingdon Assizes in 1619 reproved the sheriff for returning persons to the jury who were not of sufficient respectability, at the next assizes the sheriff presented the following list, at which the judge smiled, and at the same time applauded his ingenious industry:—Maximilian, King of Torland; Henry, Prince of Godmanchester; George, Duke of Somersham; William, Marquis of Stukeley; Edward, Earl of Hartford; Robert, Lord of Worsley; Richard, Baron of Bythorpe; Edward, Knight of St. Neot's; Peter, Esquire, of Easton; George, Gentleman of Spaldcock; Robert, Yeoman, of Barham; Stephen, Pope of Weston; Humphrey, Cardinal of Rimbolton; William, Bishop of Bagden; John, Abbot of Stukeley; Edward, Priest of Gaffham; Richard, Deacon of Cutsworth.

A CURSE.—An Irishman in court having sworn two oaths, the justice charged him two shillings. "How much do you charge for a curse?" said Pat. "Sixpence," replied the judge. "Then take half a crown; I hate change; and a curse light upon you all," returned Pat.

AULD REGIS—The King's Court. A court which accompanied the king wherever he travelled. This was the original of the present Court of Queen's Bench.

THE OBJECT OF LAW.—

Law was design'd to keep a state in peace;
To punish robbery, that wrong might cease;

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To be impregnable, a constant fort,
To which the weak and injur'd might resort:
But these perverted minds its force employ,
Not to protect mankind, but to annoy;
And long as ammunition can be found,
Its lightning flashes and its thunders sound.

Crabbe.

A LAWSUIT.—

A weighty lawsuit I maintain,
'Tis for three crab-trees in a lane.
The trees are mine, there's no dispute,
But neighbour Quibble crops the fruit.
My counsel Bawl, in studied speech,
Explores, beyond tradition's reach,
The laws of Saxons and of Danes,
Whole leaves of Doomsday book explains,
The origin of tithes relates,
And feudal tenures of estates.
If now you've fairly spoke your all,
One word about the crab-tree, Bawl.

REPORT OF AN ADJUDGED CASE NOT TO BE FOUND IN ANY OF THE BOOKS.—

Between nose and eyes a strange contest arose,
The spectacles set them unhappily wrong;
The point in dispute was, as all the world knows,
To which the said spectacles ought to belong.

So Tongue was the lawyer, and argued the cause
With a great deal of skill, and a wig full of learning;
While Chief Baron Ear sat to balance the laws,
So famed for his talent in nicely discerning.

In behalf of the nose it will quickly appear,
And your lordship, he said, will undoubtedly find
That the nose has had spectacles always in wear,
Which amounts to possession time out of mind.

Then holding the spectacles up to the court,
Your lordship observes they are made with a straddle,
As wide as the ridge of the nose is; in short,
Designed to sit close to it, just like a saddle.

Again, would your lordship a moment suppose
('Tis a case that has happened, and may be again)
That the visage or countenance had not a nose,
Pray who would, or who could wear spectacles then?

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On the whole it appears, and my argument shows,
With a reasoning the court will never condemn,
That the spectacles plainly were made for the nose,
And the nose was as plainly intended for them.

Then shifting his side (as a lawyer knows how),
He pleaded again on behalf of the eyes;
But what were his arguments few people know,
For the court did not think them equally wise.

So his lordship decreed, with a grave, solemn tone,
Decisive and clear, without one if or but,
That, whenever the nose put his spectacles on,
By daylight or candlelight, eyes should be shut.

Cowper.

RACING LAWS IN THE REIGN OF GEORGE II.—That none but the owners of horses shall enter them, and but one horse at a time.

That no plate under 50*l.* value shall be run for, on penalty of 200*l.*, and 100*l.* on such as shall advertise, print, or publish any advertisement of a plate to be run for of less than 50*l.*

Five-year-old horses to carry 10 stone; six, 11; seven, 12; on the forfeiture of the horse and 200*l.* The race to be begun and ended in one day.

Matches to be made at Newmarket and Black Hambleton, Yorkshire, only, on penalty of 200*l.*

But gifts left for annual races not to be altered.

Somersetshire penalties to go to Bath Hospital.

Entrance-money to be paid to the second best horse.

LIEGEPOUSTIE.—A Scot's law term signifying the time of health in which a man has full power to settle his affairs. Corrupted from "In legitimâ potestate."

THE GIBBET (Gibet, French).—The law's last erection.

Haman suffered death upon the very gibbet that he had provided for another.—*L'Estrange.*

THE GALLOWS (Latin, Gabalus furca).—The great object of legal terror. This monster sat like a hangman upon a pair of gallows; in his right hand he was painted holding a crown of laurel, in his left a purse of gold.—*Sidney.*

ENGLAND.—The English have fits of hanging, as other people have of fever. It is but just that a nation, who neither think nor live like the rest of mankind, should die in a way peculiar to themselves.

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FRENCH.—"Chattes," patois for gallows. *Vide* first slang dictionary ever published, by Thos. Harman, 1610.

GENTLEMEN OF THREE INS.—In debt, in gaol, and in danger of remaining there for life; or in gaol, indicted, and in danger of being hung in chains.

THE EXECUTION.—

And hark! a sound comes, big with fate;
The clock from St. Sepulchre's tower strikes eight,
Listen to that low funereal bell:
It is tolling, alas, a living man's knell;
And, see, from forth that opening door
They come—he steps that threshold o'er
Who never shall tread upon threshold more,
God! 'tis a fearsome sight to see
That pale, wan man's mute agony,—
The glare of that wild despairing eye,
Now bent on the crowd, now turn'd to the sky,
As though 'twere scanning, in doubt and in fear,
The path of the Spirit's unknown career;
Those pinion'd arms, those hands that ne'er
Shall be lifted again—not even in prayer;
That heaving chest. Enough—'tis done;
The bolt has fallen, the spirit is gone—
For weal or for woe is known but to One,
Oh! 'twas a fearsome sight. Ah me,
A deed to shudder at,—not to see.

Thomas Ingolsby.

THE HANGMAN'S ARMS.—Jehan de Ketche acted as Provost Marshal to the army of William the Conqueror, and received from that monarch a grant of the dignity of Hereditary Grand Functionary of England, together with a croft or parcel of land, known by the name of the Old Bailie, co. Middx., to be held by him, and the heirs general of his body in Grand Serjeantry, by the yearly presentation of "ane hempen cravatte." After remaining for several generations in the same name, the office passed, by marriage of the heiress, into the ancient family of the Kirbys, and thence to that of Callcraft (1st Eliz. 1558). Abhorson Callcraft, Esq., of Saffron Hill, co. Middx., the present representation of the Ketches, exercised his function on a very recent occasion, and claimed and was allowed the fee of thirteen pence one half-penny under the ancient grant of Hangman's Wages.

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Arms.—1st and 4th, quarterly, Argent and Sable; in the 1st quarter a gibbet of the second, noosed proper, Callcraft. 2nd, Sable, three nightcaps, Argent, tufted gules, 2 and 1, Ketche. 3rd, Or, a nosegay fleurant, Kirby.

Supporters.—Dexter, a sheriff in his pride, robed gules, chained and collared Or. Sinister: an ordinary display proper, wigged and banded Argent, nosed gules.

Motto.—Sic itur ad astra.

SWALLOW AND SON.—

Swallow, a poor attorney, brought his boy
Up at his desk, and gave him his employ;
He would have bound him to an honest trade,
Could preparations have been duly made.
The clerkship ended, both the sire and son
Together did what business could be done;
Sometimes they'd luck to stir up small disputes
Among their friends, and raise them into suits;
Though close at hand, the father was content
With this resource, now old and indolent.

But his young Swallow, gaping and alive
To fiercer feelings, was resolv'd to thrive:
"Father," he said, "but little can they win
Who hunt in couples where the game is thin;
Let's part in peace, and each pursue his gain
Where it may start—our love may yet remain."

JAMES I. AND ELECTIONS.—This astute king warned his faithful subjects not to return to the House of Commons, bankrupts nor necessitous persons, who may desire long parliaments for their protection; nor yet curious and wrangling lawyers, who may seek reputation by stirring needless questions.

SPONGING HOUSE—A bailiff's lock-up house, or repository, to which persons arrested are taken to find bail, or when they have spent all their money; a house where every species of fraud and extortion is practised under the protection of the law.

JEFFREYS.—

I know thee, monster! and 'twere poor amends
To speak it; but that the despairing cry
Of injured lips, in place of present strength,
Hath prophecy. Therefore, thou bold avenger,
That strik'st where God would suffer—merchant-fiend,
That sell'st thy victims ere thou slay'st them—here.

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Standing amongst thy trophies newliest won,—
Vengeance shall haunt thee, and posterity
Howl curses on thy name: nay, from this heart
A living spirit cries, that, even now,
Sharp retribution dogs thee that path up which
Thou climb'st in thought to honour,—in that hour
When thou shalt drag thy hat upon thy brows,
For dread of each man's eye—when hopes and friends
Hourly drop from thee—think on us—and so
Cringe to thy fate—spurned—buffeted—a dog
Not worth a rope—flung in some headlong cell
To die.

The Wife's Vengeance.

Mr. Phelps Jeffreys died in the Tower at the early age of forty-one.

ON SIR CHRISTOPHER HATTON.—

Full oft within the spacious walls,
When he had fifty summers o'er him,
The grave Lord Keeper led the brawls,
The seal and mace danc'd before him.

His bushy beard and shoe-strings green,
His high-crown'd hat and satin doublet,
Moved the stout heart of England's Queen,
Though Pope and Spaniard could not move it.

Gray.

THE PURSE AND THE COUNTERPANE.—Every Chancellor who holds office for twelve months can claim one of these gaudy sacks as a perquisite of his place. Lady Hardwicke's meanness was so great, it was said, that she stole the purse of State and turned it into a counterpane.

The true story is that her ladyship hung a State bed in Wimpole Street with crimson velvet, and adorned the drapery with twenty purses, emblazoned with the royal arms. The twenty purses had fallen to her husband during his tenure of the seals.

SNEEZUM MEETS JUSTICE TWILIGHT.—

Twilight. Tell me truly, as a magistrate, I've seen your face before?

Sneezum. Truly, as a magistrate, you have.

Twilight. On what business?

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Sneezum. Since I have had four meals a day I've quite forgot. No; I recollect this—we met once, and after a short ceremony I retired from the world for two months. It's odd, your Worship, but as I look in your face I begin to smell oakum.

Twilight. Ha! I remember; a Bridewell bird, caged by the law as a rogue and vagabond.

Sneezum. A foolish law to make so vile a jumble; for how many fine rogues are there, who are fine because they are not vagabonds? And how many vagabonds who live and die vagabonds because, indeed, they will not consent to be rogues?

Twilight. I recollect; I sent you to gaol for larceny—for some misappropriation of other people's goods.

Sneezum. I was found guilty of taking another man's doorstep for my pillow, and burning starlight for rushlight. That's over; now I'm respectable. I can, if I will, snore to the best tallow, and when I wake can lie till breakfast's brought me, staring at the story of Cock Robin worked in the bed-curtains.—*The White Milliner.*

VAGABONDS.—A vagabond debtor may be cited in whatever place or jurisdiction he is found.—*Ayliffe's Parerg.*

THE IRISH CRIER.—A supernumerary crier who had been put in the place of an invalid, tried to disperse the crowd by exclaiming, with a stentorian voice, "All you blackguards that isn't lawyers lave the priscence of the court entirely, or I'll make ye, by the powers!"—*D. O'Connell.*

PHÆDRUS.—

But lo! th' accusers soon appear,
The wife they apprehend;
Before the magistrates * at Rome,
They cause her to attend.

* These magistrates were the Centumviri. They were one hundred and five in number, and they were appointed to adjudicate on matters of great importance.

PLEASING, IF TRUE.—A barrister, who was wearying the court with a long and dull argument that he ought to bring to a close, he angrily replied, "I will speak as long as I please!" "You have spoken longer than you 'please' already," retorted his antagonist.

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A BORN JUSTICE.—There was one Mr. Guybon, a gentleman of very weak understanding, but yet in commission, who having often published his folly upon the Bench, at last sayes a sly plaine fellow to another, "I pray, sir, was not Mr. Guybon born a 'justice of the peace'? as, if his office had not descended upon him with his estate by right of inheritance, sure no man would have made him one!"

ON MR. THOS. HEMING, ATTORNEY.—

Weep, widows, orphans; all your late support,
Himself is summon'd to a higher court;
Living he pleaded yours, but with this clause,
That Christ at death should only plead his cause.

MR. BACON THE LAWYER.—"Mr. B." the lawyer, sayde of Mr. Pooley, a wrangling, dunsicall parson, that his sunne burnt face shew'd he look't more upon the ayre and a tithe sheave than on his booke.—*L'Estrange.*

ON A MAYOR OF LONDON.—

Hic jacet in requie Woodcock John, vir generosus,
Major Londoniæ, Mercerus valde speciosus,
Hic jacet Tom Short hose
Sine tomb, sine sheets, sine riches,
Qui vixit sine gown,
Sine cloake, sine shirt, sine britches.

Sir John Woodcock was Mayor of London in 1405.

INCREASE OF ATTORNIES.—In the Rolls of Parliament 1445, is a petition from the Commons of two counties, showing that the number of attornies had lately increased from six or eight to fourteen, whereby the peace of those counties had been greatly interrupted by suits. The Commons, therefore, petition that it may be ordained that there shall be no more than six common attornies for Norfolk, six for Suffolk, and two for the city of Norwich. The king granted the petition.

One man of law in George the Second's reign,
Was all our frugal fathers would maintain,
He too was kept for forms, a man of peace,
To frame a contract, or to draw a lease;
He had a clerk, with whom he used to write
All the day long, with whom he drank at night;
Spare was his visage, moderate his bill,
And he so kind, men doubted of his skill.

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A LAWYER—Says an old comedy in the British Museum "is an odd sort of fruit"—"first rotten," "then green," "then ripe."

ON THE DEATH OF ARNE, PUT TO DEATH IN THE FLEET FOR DEBT.—

Where sickness pines, where thirst and hunger burn,
And poor misfortune feels the lash of vice;
O great design, if executed well,
With patient care, and wisdom-temper'd zeal.
Ye sons of mercy! yet resume the search;
Drag forth the legal monsters into light,
Wrench from their hands oppression's iron rod,
And bid the lawyers feel the pain they give.

Thomson.

PETER THE GREAT—Issued an edict that no lawsuit should exceed eleven days; then it was to terminate. The only wonder at all is, that litigation should exist in despotic States, where the wire of power is the lex suprema.

A MAIDEN SETTLEMENT.—

A woman having settlement,
Married a man with none;
The question was, he being dead,
If what she had was gone.

Quoth Sir John Pratt, the settlement
Suspended did remain,
Living the husband; but him dead,
It doth revive again.

(*Chorus of Puisne Judges.*)

Living the husband; but him dead,
It doth revive again.

This decision was reversed:—

A woman having settlement,
Married a man with none;
He flies and leaves her destitute,
What then is to be done?

Quoth Ryder, the Chief Justice,
In spite of Sir John Pratt,
You'll send her to the parish
In which she was a brat.

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Suspension of a settlement
Is not to be maintained;
That which she had by birth subsists
Until another's gained.

(*Chorus of Puisne Judges.*)

That which she had by birth subsists
Until another's gained.

ADAM AND EVE'S CASE.—Fortescue J.: Even God Himself did not pass sentence upon Adam before he was called upon to make his defence. 'Adam' (says God), 'where art thou? Hast thou eaten of the tree whereof I commanded thee that thou should'st not eat?' and the same question was put to Eve also.' A peremptory mandamus was granted.—*Cited in Dr. Bentley's Case.*

EPITAPH.—Sir James Shepherd, Knt., Serjeant-at-Law.—

In expectationis dei supremi qualis erat,
Dies iste indicabit.

A CURIOUS BILL.—

To
Silvester.

	s.	*d.*
Execution fees	7	6
Stripping the body	4	6
Use of shell	2	6
	14	6

Sir John Silvester was Recorder of London.

LAWYER WISE, A WISE LAWYER.—Noy used to say of Wise, a lawyer of Lincoln's Inne (a very subtile and acute man in all businesse he undertooke), that he was like a mouse among joynt stooles; one may see where he moves, and runnes, but no man knows where to hit him.

A SPECIAL ENTAIL.—The Lord Chief Justice Richardson went with Mr. Newtis, the Clarke of the Councell, to see his fine house at Gunnossbury, which was furnished with many pretty knacks and rarities. My lord viewed all, lik't well, but, "Mr. Newtis," sayes he, "if you and I agree upon the price, I must have all your fooleries and babbles into the

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bargain." "Why, my lord," says he, "for that I will not stand with you—they may e'ene be entail'd if you please, upon you, and your heires."

ARCADES AMBO.—Mr. Ketch and his infamous brother in crime were generally associated together.

While Jeffreys on the bench,
Ketch on the gibbet sits.

A HABEAS CORPUS.—A "Tombs" lawyer had been endeavouring all the week to get his client out of durance vile. He walked into the "Tombs," and sent for his client. His face was as smiling as the historic basket of chips. "It's all right," said the lawyer, grasping his client's hand. "Yes?" ejaculated the client, brightening up. "Yes, everything's fixed." "How?" "I can get you out on a habeas corpus;" and then the client's face lengthened, as he replied, "Can't be done, wouldn't dare to try it, my cell's on the third tier, and the darned thing might break!"

A DIFFERENCE OF OPINION.—A lawyer once asked a Quaker if he could tell the difference between "also" and "likewise." "Oh, yes," said the Quaker; "Erskine is a great lawyer; his talents are admitted by almost every one; you are a lawyer 'also,' but not 'likewise!'"

EPITAPH ON MR. DUNN.—

Underneath this place doth lie,
The miracle of crueltie;
I'll tell thee now I have begun;
Then know, kind reader, all's bad Dun.

AN ATTORNEY'S BILL.—Submitted for taxation in the Bristol District Bankruptcy Court recently contained the following novel item:—Attending messenger, who informed me that a cat was locked up on the bankrupt's premises; attending same and releasing cat, *6s. 8d.* At first, this unique charge was taxed off the register, but on the explanation that the stock on the premises was a valuable one, and might suffer considerable damage if the cat was allowed to remain in undisputed possession, the item was restored.

CHIEF JUSTICE KELYNGE.—Conventicles.—Being without check or restraint, he threw aside all justice, decency and temper. Some persons were indicted for attending places of worship: and, although, it was proved on the

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Lord's Day that they had assembled with Bibles in their hands, without Prayer-books, they were acquitted. He, thereupon, fined the jury 100 marks apiece, and imprisoned them until the fines were paid.

SINGULAR PLEASURES.—

Welcome business, welcome strife,
Welcome the cares of ermined life;
The visage wan, the purblind sight,
The toil of day, the lamp of night,
The tedious forms, the solemn prate,
The pert dispute, the dull debate,
The drowsy bench, the babbling hall,
For thee, fair justice, welcome all.

CIBBER.—Power only founded on custom is apt, where the law is silent, to run into excesses; and while it laudably pretends to govern others, how hard it finds it to govern itself.

CHINESE LAWS.—Their code of laws is so simple, so defined, and so promulgated through the empire that the services of attornies and counsellors are not necessary; and there is not one to be found in the Celestial Empire.

THE FIRST HANGMAN.—Was one Mr. Bull, 1593.—*Dr. Rimbault.*

CHIEF JUSTICE HOLT AND THE PROPHET.—Holt having committed Mr. Thomas Atkins to take his trial for seditious language, Mr. Lacy, one of the brotherhood, called at the Chief Justice's house in Bedford Row, and desired to see him.

Servant. My lord is unwell to-day, and cannot see company.

Mr. Lacy (in a very solemn tone). Acquaint your master I must see him, for I bring a message to him from the Lord God. The Chief Justice having ordered Mr. Lacy in, and demanded his business, was thus addressed, "I come to you a prophet from the Lord God, who has sent me to thee, and would have thee grant a 'nolle prosequi' for Mr. Thomas Atkins, his servant, whom thou hast sent to prison." Holt, Chief Justice: "Thou art a false prophet and a lying knave. If the Lord God had sent thee, it would have been to the Attorney-General, for He knows that it belongeth not to the Chief Justice to grant a 'nolle prosequi;' but I as Chief Justice can grant a warrant to commit thee to bear him company." This was immediately done, and both prophets were convicted and punished.

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THE ATTORNEY AND THE TAX-GATHERER.—A country practitioner was waited upon at rather an early hour in the morn by a collector of church-rates. The lawyer made his appearance at the door, minus several of his upper garments, but politely invited the collector to walk in and take a seat. He protested that a man who did not pay his taxes must be looked upon with suspicion, apologized for being out so often when the collector called, and expressed a hope that no one had seen the collector enter the house; the collector replied that he believed no one had seen him. This assurance appeared to satisfy the mind of the lawyer, who retired into another room. He soon reappeared with a fine razor and strop in his hand, and continued for some time to sharpen his weapon. He seemed a little nervous, and a few questions and answers had passed between him and the collector, when the lawyer said, "Are you quite sure no one saw you come in?" The collector, who did not quite like the looks of the man of legal attainments, replied, "Oh, I'm sure no one saw me come in."

"Then," said the lawyer, drawing the razor savagely across the strop, "I'll take good care nobody sees you go out." The collector became alarmed, and looked about for a way to retreat. "Stop till I get a bucket," said the attorney; "I'll have no dirt here, but I'll soon stop you going out." As he spoke, the lawyer retired, and began to shout to his servant to bring a bucket; the collector was in despair, and as soon as his supposed assailant turned his back, he rushed out of the door, and never again troubled the lawyer for church-rates.

ABSENCE OF MIND.—A barrister noted for absence of mind was once witnessing the representation of "Macbeth;" and on the witches' replying to the Thane's inquiry, that they were "doing a deed without a name" catching the sound of the words, he started up, exclaiming to the astonishment of the audience, "A deed without a name. Why, it's void; it's not worth sixpence."

THE GREAT SEAL IN DANGER.—On February 7th, 1677, about one in the morning, the Lord Chancellor Finch's mace was stolen out of his house in Foxill Street; the seal laid under his pillow, so that the thief missed it. The notorious thief that did this was Thomas Suttlier; he was soon after taken, and hanged for the offence at Tyburn on the 16th March, 1678.

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APPEYCHING.—Fabian relates that in 1425 many honeste men of the cytye were apeched of treason. Apescher, Norman French.

TREADMILLS.—At Lewes, each prisoner walks at the rate of 6600 feet in ascent per day; at Ipswich, 7450; at St. Alban's, 8000; at Bury, 8650; at Cambridge, 10,176; at Durham, 12,000; at Brixton, Guildford, and Reading, the summer rate exceeds 13,000; while at Warwick, the summer rate is about 17,000 feet in ten hours.—*The Times.*

CURIOSITY REWARDED.—An opulent farmer applied about a lawsuit to an attorney, who told him he could not undertake it, being already engaged on the other side; at the same time he said that he would give him a letter of recommendation to a professional friend, which he did. The farmer, out of curiosity, opened it, and read as follows:—

> Here are two fat wethers, fallen out together,
> If you'll fleece one, I'll fleece the other,
> And make 'em agree like brother and brother.

The farmer carried this epistle to the person with whom he was at variance. Its perusal cured both parties, and terminated the dispute.

OLD LAW-BOOKS.—It is remarkable that the oldest book of law in the German language is entitled Spiegel, or the looking-glass, which answers to our Mirror of Justices. It was compiled by Eckius de Reckaw, and is inserted in Goldastus's Collectanea. One of the Icelandish books is likewise styled Speculum Regale. There is also, in Schrevelius's Teutonic Antiquities, a collection of the ancient laws of Pomerania and Prussia, under the title of Speculum. Surely all this cannot be the effect of pure accident.

CURIOUS WILL OF AN ATTORNEY.—Mr. Lambe, an attorney, who died at Cambridge in the year 1800, left about eleven hundred pounds, and directed his executors (three gentlemen of the University) to appropriate the sum of eight hundred pounds as they thought proper. For this arduous task he bequeathed them one hundred pounds each.

A GOOD EXCUSE.—In the Court of Session in Scotland, the judges who do not attend, or give a proper excuse for their absence, are fined by law; but it is common on the first day of the Session for the absentee to send an excuse to the Lord President. Lord Stonefield having sent such an excuse,

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on the President mentioning it, the late Lord Justice Clerk Braxfield said, in his broad dialect, "What excuse can a stout fellow like him hae?" "My lord," said the President, "he has lost his wife." The Lord Justice who was fitted with a Xanthippe, replied, "Has he? that is a gude excuse indeed; I wish we had a' the same."

TO A SPARROW IN SERJEANT'S INN.—

Art thou solicitor for all thy tribe,
That thus I now behold thee?—one that comes
Down amid bail—above, an under-scribe,
To sue for crumbs?
Away! 'tis vain to ogle round the square,—
I fear thou hast no head—
To think to get thy bread
Where lawyers are.
Say, hast thou pull'd some sparrow o'er the coals
And flitted here for a summons to indite?
I only hope no curs'd judicial kite
Has struck thee off the Rolls!
I scarce should deem thee of the Law—and yet
Thine eye is keen and quick enough—and still
Thou bear'st thyself with pert, and tiny fret.
But then how desperately short thy bill,
How quickly might'st thou be of that bereft?
A sixth "tax'd off"—how little would be left.

ON MR. SMITH, A LAWYER.—

Here lies Lawyer Smith, and what is something rarish,
He was born, bred, and hang'd in the selfsame parish.

LAW—Is like a country-dance, people are led up and down it till they are tired. Law is like a book of surgery, there are a great many desperate cases in it. It is like physic, they that take the least are best off. Law is like a homely gentlewoman, very well to follow. Law is like a scolding wife, very bad when it follows us. Law is like a new fashion, people are bewitched to get into it. It is like bad weather, most people are glad when they get out of it. Law is like a flight of rockets, there is a great expense of powder, the cases are well got up, the reports are excellent, but after all, the sticks, like clients, are sure to come to the ground.

INTENTIONAL DELAY.—Lawsuits were formerly as much prolonged by legal chicanery as now; and to involve persons

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in them was a common mode of revenge. In the letters of the Paston family, and the Berkeley MSS., there is evidence that this practice prevailed in the fifteenth century.

AN OLD SUBJECT.—Among the Harleian collections, at the British Museum, there is an English MS., written about or before the year 1200, containing a satirical ballad upon the lawyers.

THE HOUSE OF COMMONS—Ordered that "no man of the law" should be returned as knight of the shire, and if returned he should have no wages. 1307.

A WATER-BAILIFF'S CHARTER IN LAW LATIN.—Aquæ Bailiffi est magistratus in choisi sapor omnibus fishibus vel saltibus qui habuement finnos et scalos claws shells et talos qui swimmare in fresibus riveris lakos pondis canalibus et well boats sive oysteri prawni whitini shrimpi turbutos solus that is not turbots alone and souls both together.

THE CONSEQUENCES OF INSTRUCTIONS "TO SUE" OR "DEFEND."—

That wide and pathless maze
Where law and custom, truth and fiction,
Craft, justice, strife, and contradiction,
With every blessing of confusion,
Quirk, error, quibble, and delusion,
Are all, if rightly understood,
Like jarring ministers of state,
'Mid anger, jealousy, and hate,
In friendly coalition joined,
To harmonize and bless mankind.

MONTAIGNE.—The most virtuous man would, ten times at least in the course of his life, be considered a fit subject for the gallows, were he to submit all his thoughts and actions to the rigid scrutiny of the laws of his country.

LAW AND PHYSIC.—

If mortals would, as Nature dictates, live,
They need not fees to the physician give.
If men were wise, they need not have their cause
Pleaded, prolong'd by the ambiguous laws.
Bartolus might, feeless, go to bed,
And mice corrode Hippocrates unread.

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ON MR. POPHAM, THE LAWYER'S SON.—

Here lies he who not long since
Kept a table like a prince,
Till death came and tooke awaye,
Then ask't, the old man, what's to pay.

A JUDGE'S ADDRESS—At Stafford, was thus concluded to a prisoner convicted of uttering a forged one-pound note, after having pointed out to him the enormity of the crime, and exhorted him to prepare for another world: "And," the judge continued, "I trust that, through the merits and mediation of our Blessed Redeemer, you may there experience that mercy, which a due regard to the credit of the paper currency of the country forbids you to hope for here."

AFFIDAVIT EVIDENCE.—A defendant in chancery having heard his answer read, said, "there were some things in it not true: however, since it was engrossed, he would swear it as it was, rather than give the clerk any trouble to alter it."

DEBT.—

Of old, to debtors who insolvent died,
Egypt the rites of sepulture denied:
A different trade enlightened Christians drive,
And charitably bury them alive.

EPITAPH ON A LAWYER.—

'Tis true, old sinner, there you lie;
'Tis true you'll be as warm as I;
But, restless spirit, why foretell
That when you rise you'll go to h-ll!

JEDWOOD JUSTICE—Implies hanging first, and trial afterwards, also Abingdon Law. At Abingdon "Major-General" Browne first hanged a man and then tried him.

A GOOD JUDGE.—A judge and a lawyer were conversing about the doctrine of transmigration of souls of men into animals; "Now," said the judge, "suppose you and I could be turned into a horse or an ass, which would you prefer to be?" "The ass, to be sure," replied the lawyer. "Why?" rejoined the judge. "Because," was the reply, "I have heard of an ass being a judge, but of a horse—never!"

LADDER HILL.—In the latter part of the 17th century one of the ringleaders of an insurrection in St. Helena was hanged alive in chains on Ladder Hill, and starved to death.—*Melliss's Saint Helena.*

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TYBURN TICKETS.—Any one who had prosecuted a man to death, for a criminal offence, used to obtain a "Tyburn ticket," which conferred upon him and his heirs male, future exemption from serving on a jury. These tickets passed like a freehold estate from father to son.

GENTILITY.—Lawyers have grown so genteel, they have altered their very name and nature. Once upon a time they used to be called attornies, now forsooth they are called solicitors; formerly they were styled lawyers, but now nothing but bannisters will do; and nice bannisters they are for a feller to lean upon that's going downstairs to the deuce.—*Sam Slick.*

DODGING THE RESPONSIBILITY.—"Sir," said Fieryfaces, the lawyer, to an unwilling witness, "Sir, do you say, upon your oath, that Blinkins is a dishonest man?" "I didn't say he was ever accused of being an honest man, did I?" replied Pipkins.

SEIZING A CORPSE FOR DEBT.—Epitaph at North Wingfield, in memory of Thomas, son of John and Mary Clay, who departed this life, Dec. 16th, 1794, in the 40th year of his age.

What though no mournful kindred stand
Around the solemn bier,
No parents wring the trembling hand,
Or drop the silent tear;
No costly oak adorned without
My weary limbs enclose,
No friends impart a winding sheet
To deck my last repose?

The creditor seized the above body for 20*l.*, exposed it in the streets, and at last buried it in a bacon-box.

THE PRICE OF BUTTER.—A few days since an attorney at a county court deemed it necessary to impugn the respectability of a Mr. Butterworth, but the witness he hoped to prove it by, was an alarming deal too much for him. He commenced thus: "Do you know Mr. Butterworth?" "Yes, I do." "What's Butterworth?" The witness looked at him full in the face, then pulling an innocent and unconcerned countenance, replied, much to the delight of a crowded court, "Thirteen pence a pound, although I have paid as high as—" "That will do, sir, you can stand down, we shall not want you again."

SHERIDAN'S RETORT.—Sheridan once handled with considerable irony, one Clifford, an attorney, who had made some

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strong comments upon his political conduct. Sheridan: "As to the lawyer who has honoured me with so much abuse, I do not know how to answer him, as I am no great proficient in the language or manners of St. Giles. But one thing I can say of him, and it is in his favour—I hardly expect you will believe me—the thing is incredible—but I pledge my word to the fact—that once, if not twice, but most assuredly once, I did meet him in the company of gentlemen."

FORENSIC ELOQUENCE.—Many a man who would be happy as a pedagogue, becomes from sheer vanity, a miserable man as a barrister. It is reported of a young man that he altered, "not throwing stones in a glass house," into "not projecting missiles in a frail habitation." At a recent trial an eloquent counsellor said, "Until that viper put his foot amongst them." Another barrister said of an individual, "He took the bull by the horns, and charged him with perjury." In an assize court a lawyer thus spoke to a jury: "I smell a rat; I see it brewing in the storm; but with your assistance, gentlemen of the jury, I shall nip it in the bud." Another said, "Knocking the hydra-head of faction a rap over the knuckles." An eminent brow-beating barrister has described the way of life of one or more individuals, "Living from hand to mouth, like birds in the air." A mule has been made to have trousers, when a lawyer said of a person, "He put the key into his pocket in a most mulish manner;" and Serjeant Gould has been heard to speak of the "dark oblivion of a brow." He was twitted for speaking nonsense to the jury, but replied "that it was good enough for them."

FOOTE AND THE FARMER.—One day a simple farmer, who had just buried a rich relation, an attorney, was complaining of the great expense of a funeral cavalcade in the country. "Why! do you bury your attornies here?" asked Foote. "Yes, to be sure we do; how else?" "Oh, we never do that in London." "No!" said the other, much surprised, "how do you manage?" "Why, when the patient dies, we lay him out in a room over night by himself, lock the door, throw open the sash, and in the morning he is entirely off." "Indeed," said the other with amazement, "what becomes of him?" "Why, that we cannot exactly tell, all we know is, that there's a strong smell of brimstone in the room next morning."

A JUDGE OF VALUE.—A Quaker who was examined before a court, offended the presiding judge by his familiar

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thee, and thou, and friend. At last he attempted to rebuke him by sternly asking, "Pray, sir, do you know who we are, and what we sit here for?" "Yea, verily I do," said the Quaker; "three of you sit for about two dollars a day each, and the fat one on the right for one thousand dollars a year, for which payment thy duty ought to be well done."

KEEPERS OF THE GREAT SEAL.—To some its acquisition has been admission to new life to others the first trump of office has been followed by speedy death. Aged, hoary, wrinkled lawyers, trembling beneath the burden of time and toil, and all the unwholesome conditions of an overworked advocate's existence, have been seen to approach their Sovereign with tottering gait, and slowly kneel with stiffened limbs to receive the palm for which they have striven for half a century. They have knelt, have clutched the prize, and that one electric touch has driven rheumatism from their joints; purged their arteries of gouty poison; brought the pink glow of health to their cheeks—cheeks for many a past day lean, miserable, and yellow; brightened with warm, translucent, violet splendour their blear, cunning, and rheumy eyes, and given firmness to palsied and rapacious hands.

FRENCH LAW.—The courts have decided that a stone falling from the heavens belongs to the finder, and not to the owner of the field on which it fell.

ON LORD ELDON.—

To cause delay in Lincoln's Inn,
Two different methods tend;
His Lordship's judgments ne'er begin,
His Honour's never end.

JUDGES AND RELIGION.—If a judge is so clear and open as to declare against that vulgar opinion that the devil himself has power to torment and kill innocent children, or that he is pleased to divert himself with good people's cheese, butter, pigs, and geese, and the like errors of the ignorant and foolish rabble, the countrymen cry, "This judge hath no religion, for he doth not believe in the devil;" and so to show they have some, hang the poor wretches.

JUSTICE AND INJUSTICE.—The only true way to make the mass of mankind see the beauty of justice is by showing them in pretty plain terms the consequence of injustice.

BARRISTERS AND THE LORD'S SUPPER.—On being appointed King's Counsel, barristers, who had not been to church

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for many years, used to go to St. Martin's, appropriated for this purpose, pay their guinea, and bring away a certificate of their having taken the Sacrament according to the rites and ceremonies of the Church of England. A.D. 1828.

MR. JOHN THRIFT, THE SOUL SENDER.—On Monday evening, the corpse of Mr. John Thrift, the late executioner, was brought in a hearse, without any coach, to St. Paul's, Covent Garden, where it was met by a large concourse of people, who seemed so displeased it should be buried there, that the attendants of the funeral, among whom was Tallis, the present hangman, were afraid the body would be torn out of the coffin, which was, therefore, carried into the church. However, about eight o'clock they got the remains interred.

A SUIT IN LAW.—At its first production, birth, and first beginning, seemeth to me, as unto others, shapeless, ugly, and imperfect; even as a bear, at its first coming into the world, hath neither hands, skin, hair, nor head; but is merely an infirm, rude, and ill-favoured piece, and lump of flesh, and would remain still so if his dam, out of the abundance of her affection to her hopeful cub, did not with much licking put his members into that figure and shape, which nature had provided for those of an arctic and ursinal kind. —*Rabelais.*

ABYSSINIAN LAW.—In Abyssinia, a singular custom is observed. When any person is injured, he gets hold, if possible, of his adversary's garment, and ties it to his own; if he can do this, the offender neither attempts to deliver himself, nor to leave the garment behind him, but quietly follows to the presence of his superiors, who are to judge him.

THE OLD BAILEY.—
I now and then look in at the Old Bailey,
That is, the Court of Justice of that name,
Where lovely ladies flaunt their bonnets gaily,
And use their spy-glass—think not that I would blame;
I've seen the prisoner eye the judges palely,
When Mr. Harker loudly does proclaim
Silence,* and then the Arraign Clerk asks him why
In hideous irony he should not die.

* "Silence in the court, while my Lord Chief Justice passes sentence of death upon the prisoner."

AN APOLOGIA.—In the uncertainty of opinion as to abstract law, what each mind holds to be right, is right for it. —*Dr. Newman.*

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LEGISLATURE.—We want a Parliament in which there shall be no talking, and a legislature to unmake the laws.

DEBTS.—Imprisonment is rarely resorted to in cases of national debt.

IDIOTCY.—To beg a man for a fool was to apply to the Crown for the custody of his lands and person, he having been found "purus idiota" by a jury.—*Nares.*

HOSKINS AND HECHAM.—Hoskins used to call Serjeant Hecham his ape, because of his wry face, and sneaking look; and one day the lawyers being merry together, one asked his brother Hecham when he would marry. "Never," says he; "I had rather lead apes in hell." "My faith," says Hoskins, "if it comes to that once, I am sure you will pose all the devils, for there will be such gaping and inquiring which is the man and which is the ape, and they never can distinguish unless thou goest thither in thy serjeant's robes."

A JUDGE'S POCKET-HANDKERCHIEF.—Lord X. never used a pocket-handkerchief in his life until he found one in the pocket of a borrowed waistcoat, which pocket-handkerchief he ought to have returned, as it was not included in the loan of the waistcoat.

SHERIDAN AND HIS WILL.—During his last illness a solicitor, Mr. R. W., who had been much favoured in wills, waited on Sheridan. After he had left the room, another friend came in, to whom Sheridan said, "My friends have been very kind in calling upon me, and offering their services in their respective ways; Dick W. has just been here with his will-making face."

COUNSEL FOR PRISONERS.—A most absurd argument was advanced in the "Honourable House," that the practice of employing counsel would be such an expense to the prisoner—just as if anything was so expensive as being hanged. What a fine topic for the ordinary! "You are going," says that exquisite divine, "to be hanged to-morrow, it is true; but consider what a sum you have saved. 'Mr. Y. Z.' or 'Mr. Brougham' might certainly have presented arguments to the jury, which might have insured your acquittal; but do not forget that gentlemen of their eminence must be recompensed with large fees, and that if your life had been saved, you might actually have been out of pocket above 20*l.* You will now die with the consciousness of having obeyed the

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dictates of a wise economy, and with a grateful reverence for the laws of your country, which prevents you from running into unbounded expense—so let us now go to prayers."

JUDGE TRESSILLIAN.—This judge was hanged at Tyburn in 1688.

TWO SIDES.—

When we've nothing to dread from the law's sternest frowns,
How we smile at the barrister's wigs, bands, and gowns;
But no sooner we want them to sue or defend,
Than their laughter begins, and our mirth's at an end.

ANTIQUITY OF WIGS.—The Lydians, Carians, Medes, and Persians wore wigs; this circumstance appears, not only in the medals of antiquity, but in the second book of the Œconomics of Aristotle in his account of the Candaules.

A BUTCHER.—Mr. Richard Brandon, the butcher of King Charles I., was the son and heir of Mr. Gregory Brandon, Esq., the chief executioner.

PRIVILEGES.—It is said that labour may be a privilege as well as a punishment. So may taking physic be a privilege in cases where it is asked for as a charitable relief, but not if it is stuffed down a man's throat, whether he say nay or yea.

LORD ERSKINE AND HIS SHEEP.—Coleman and Bannister were dining one day with Lord Erskine, the ex-Chancellor, who, in the course of conversation on rural affairs, boasted that he kept on his pasture-land nearly a thousand sheep. "I perceive, then," said Colman, "your lordship has still an eye to the woolsack."

FIAT JUSTITIA.—Justice is pleasant, even when she destroys.

MARGARET WOOD.—This young woman was accused of murder, on what ground nobody knew. The account of her treatment is sickening. After she was subjected to the torture of the "boot," she yet would make no confession. This so provoked the fury of the judges, they ordered the "pilliwinkies," a species of thumbscrew, to be tried, by way of a change; eventually, the judges sentenced her to be "scourged through the burgh of Edinburgh, and banished the kingdom."

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WREATHCOCK'S GANG.—This Wreathcock was a villainous attorney, who received sentence of death for his criminal practices, and was ordered to be transported for life in 1736.

BROUGHAM'S ONE-HORSE CARRIAGE.—A friend remarked as the above vehicle passed, alluding to the "B" surmounted by a coronet on the panel, "There goes a carriage with a 'B' outside, and a wasp within."

BLACKSTONE.—Blackstone's plagiarisms are mostly transcribed textually from Barlamagni.

NOSE-SLITTING.—Not a legal punishment inflicted by common law, or statute, but an arbitrary punishment.

YORK ASSIZE SERMON.—Startling was the effect when the preacher rose in the pulpit, the two judges sitting opposite to him, and gave out this text: "God shall smite thee, thou whited wall; for sittest thou to judge me according to law, and commandest me to be smitten contrary to the law?" —*Sydney Smith.*

AN EPITAPH.—

William Barnsley, died
January, 1773.
Elizabeth, his wife, died April, 1780.

"Involved in tedious lawsuits, after the death of his father, for thirty-five years, they overcame, and died the conquerors."

THE EDINBURGH TAILORS.—Erskine, dining with the Corporation of Taylors in Edinburgh, returning thanks for his health being drunk, and observing that the number of members present was exactly eighteen, he ended his reply thus, "Gentlemen, allow me to conclude by proposing both your healths."

NOVEMBER 6TH, MICHAELMAS TERM BEGINS.—

Now Monsieur Term will come to town,
The lawyer putteth on his gown;
Revenge doth run, post swift on legs,
And sweet as muscadine and eggs;
And this makes many go to law,
For that which is not worth a straw,
But only they their mind will have,
No reason hear, nor council crave.

"*Robin's*" *Almanack*, 1757.

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LIVES OF THE CHANCELLORS.—

"Namque canebat uti magnum per inane coacta."

He sung how English chancellors, in vain
Whirled through the void, whirl empty back again;
How dowerless poverty industrious looks,
For stale old stories filched from stale old books;
Cuts up old newspapers, and rakes afar
For circuit jokes, the refuse of the Bar;
These the reporters' well-trained skill revives,
And vamps up seven thick volumes of bad lives.

AN ARABIC PROVERB.—He pronounces judgment upon a noodle, and at the same time swallows a large pole. Said of lawyers who devour property not their own.

A LEGAL BILL.—

To the account of Janet Wishart and Isabel Cockie.

	s.	*d.*
For twenty loads of peat to burn them with	40	0
For one boll of coalls	23	0
For four tar-barrels	26	8
For a staik, and dressing of it . . .	16	0
For four fathom of tows (ropes) . . .	4	0
For carrying the peats, coals and barrels to the hill	13	4
To John Justice, for their execution . .	13	4

Records of the City of Aberdeen.

EPITAPH ON MR. FRANCIS, AN ATTORNEY.—

Lawyer Francis lies here, friend. Without stop or stay,
As you value your peace, make the best of your way.
Though at present arrested by death's caitiff paw,
If he stirs he may still have recourse to the law;
And in the King's Bench should a verdict be found,
That by livery and seizin, his grave is his ground,
He will claim to himself what is strictly his due,
And an action of trespass will straightway ensue,
That you without right on his premises tread,
On a simple surmise that the owner is dead.

LYNCH LAW—ITS ORIGIN.—The mayor or warden of Galway, Mr. Lynch, usurped the hangman's office in the execution of his own son.—*Burke.*

LORD MANSFIELD.—King George III. has a Scotch Chief Justice abler than Laud, though not so intrepid as Lord

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Strafford. Laud and Strafford lost their heads. Lord Mansfield would not lose his, for he would die of fear if he were in danger, of which, unfortunately, there is no prospect.—*H. Walpole.*

NO UPRIGHT JUDGE.—Judge Richardson, in going the Western Circuit, had a great flint-stone thrown at his head by a malefactor then condemned, who thought it meritorious, and the way to be a benefactor to the Commonwealth, to take away the life of a man so odious, but leaning low on his elbow, in a reckless manner, the missive flew too high, and only took off his "hatt." Soon after his friends congratulating him upon his deliverance, he replied, by way of jest, as his fashion was to make a jest of everything, "You see now, if I had been an upright judge," intimating his reclining posture, "I had been slain."

THE LENGTH OF A LAWYER'S BEARD.—In a Parliament of the Inner Temple, held 5 Mai. 1 and 2 Philip and Mary, there was a decree that no fellow of that house should wear his beard above three weeks' growth, upon fine of twenty shillings forfeiture.—*Collet.*

LORD TENTERDEN.—When Abbot, Lord Tenterden, was Lord Chief Justice the King's Bench was nicknamed the Abbot's Priory.

DUN.—An unfortunate creditor. "Dunny" is the provincial dialect of several counties, and signifies deaf; to dun, then, perhaps, may mean to deafen with importunate demands. Some derive it from the word donnez, which signifies give. But the true original meaning of the word owes its birth to one Joe Dun, a famous bailiff of the town of Lincoln, so extremely active, and so dexterous in his business, that it became a proverb, when a man refused to pay, Why do you not Dun him? that is, why do you not set Dun to arrest him? Hence it became a cant word, and is now as old as the days of Henry VII. Dun was also the general name for the hangman, before that of Jack Ketch.

> And presently a halter got,
> Made of the best hempen teer,
> And, ere a cat could lick her ear,
> Had tied it up with as much art
> As Dun himself could do for's heart.
>
> *Cotton's Virgil Trav., Book IV.*

SIR FRANCIS WITHINS.—This judge was a contemptible wretch. When called upon by the House of Commons to explain why he had sided with the Court party in reprobating

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petitioning, he showed himself such a sneaking poltroon, that, as North says, even his own friends voted against him, and he was unanimously expelled the House. When on the Bench, his treatment of the prisoners tried before him are ample illustrations that cruelty is the associate of cowardice.—*State Trials.*

BOOTS.—A legal punishment in Scotland. "They put a pair of iron boots close to the leg, and drove wedges between these and the calf. But I have been told they were sometimes driven upon the shin-bone."—*Bishop Burnet.*

A LAME JUDGE.—A deceased judge had a defect in one of his limbs, from which, when he walked, one foot described almost a circle round the other. Mr. Curran being asked how his lordship still continued to walk so fast, answered, "Don't you see that one leg goes before like a tipstaff, and clears the way for the other?"

JUDICIAL POLITENESS.—Sir James Dyer, in his Reports, after stating the opinions of himself and some of his brothers, adds not very urbanely, "But Baldwin was of a contrary opinion, though neither I nor any one else, I believe, understood his refutation."

LAWYERS IN PARLIAMENT.—They are birds of a peculiar feather, and only perch in that house on their flight to another —only resting their pinions there for awhile, yet ever fluttering to be gone to the region of Coronets; like the Hibernian in the ship, they cared not how soon she foundered, because they were only passengers—their best bower anchor was always cast in the House of Lords.—*Edmund Burke.*

LORD LYNDHURST—When he heard his life was to be written by Lord Campbell, said that the prospect added another pang to death. All through the Lives we see Lord Campbell running a literary muck, striking right and left with so sublime an impartiality that scarcely a man he jostles in the crowd of public characters escapes unharmed.—*The Times, April 3rd*, 1869.

MESSRS. LEWIS AND LEWIS.—The senior partner, a courteous gentleman of small stature and quiet manner, with features characteristic of shrewdness and kindly nature, might often have been seen unpretendingly making his way to the barristers' table. His movements were watched with anxiety

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and hope as he quietly walked about, and slipped a brief into the hands of a pleased recipient. His firm possessed a large business, which he had principally built up by means in all respects honourable to himself.

EPITAPH ON A LAWYER.—

Thin in beard, and thick in purse,
Never man beloved worse;
He went to the grave with many a curse,
The devil and he had both one nurse.

THE MASTER OF THE HIGH-WORKS.—The hangman, the executioner, Maître des Hautes-Œuvres.

THE OLD BAILEY.—One of the celebrities, rarely met with upon festive occasions, was accustomed to present himself after dinner on the last day of sessions. He was a decently dressed, quiet-looking man. Upon his appearance he was presented with a glass of wine. This he drank to the health of his patrons, and expressed with becoming modesty, his gratitude for past favours and his hopes for favours to come. He was Mr. Calcraft the hangman.

THE CHIEF MAGISTRATE AT BOW STREET.—Mr. . . . . in appearance was like a shrivelled crab-apple. In the story of "Oliver Twist," Charles Dickens caricatured him under the name of "Fang."

A POETICAL WILL.—

The fyfth day of May,
Being airy and gay,
And to hyp not inclined,
But of vigorous mind,
And my body in health,
I'll dispose of my wealth,
And all I'm to leave,
On this side the grave,
To some one or other,
And, I think to my brother
Because I foresaw,
That my brethren in law,
If I did not take care,
Would come in for a share,
Which I no wise intended,
Till their manners are mended,
And of that, God knows, there's no sign ;

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I do therefore enjoin,
And do strictly command,
Of which witness my hand,
That nought I have got,
Be brought into hotch-pot ;
But I give and devise,
As much as in me lies,
To the son of my mother,
To have and to hold,
All my silver and gold,
As the affectionate pledges
Of his brother,

JOHN HEDGES.

This will is said to have been proved in the Prerogative Court of Canterbury.

SUMPTUARY LAWS.—The way by which these laws attempted to regulate idle and vain expenses in meat and clothes, seems to be quite contrary to the end designed. The true way would be to beget in men a contempt of silks and gold, as vain, frivolous, and useless.

PLACE DE LA GRÈVE.—A public square in Paris, where executions according to law take place.

A POLICE MAGISTRATE'S ZOOLOGICAL DECISION.—A man who was suggested to be the father of an infant was brought before the Marylebone Police Court on the subject. After a patient hearing of the case the magistrate decided against the man. Calling on the man's counsel a little after, the magistrate said, "You made a very good speech, and I was inclined to decide in your favour, but being a bit of a naturalist, while you were speaking I was comparing your client with the child, and there could be no mistake, the likeness was most striking." "Why, good heavens!" said the counsel, "my client was not in court. The person you saw was the attorney's clerk." And such was the case.

LOB'S POUND.—A prison. Dr. Grey, in his notes on Hudibras, explains it to allude to one Doctor Lob, a dissenting preacher, who used to hold forth when conventicles were prohibited, and had made himself a retreat by means of a trap-door at the bottom of his pulpit. Once, being pursued by the officers of justice, they followed him through divers

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subterranean passages till they got into a dark cell, when they could not find their way out, but, calling to some of their companions, swore they had got into Lob's Pound.

MR. SERJEANT SPANKIE.—Was a hard-hearted, money-grubbing old Scotchman, but when senile fell a victim to female beauty.

When Miss Smith was twenty
She had lovers in plenty;
When Miss Smith got older
Her lovers got colder;
Then came Serjeant Spankie,
And Miss Smith said thankie.

SIR FRANCIS PAGE.—Always felt a luxury in condemning a prisoner, which obtained for him the epithet of the "hanging judge." Threatening a poor thatcher at Dorchester with his usual rigour, the unfortunate man exclaimed after his trial,—

"God in his rage
Made a Judge Page."

When decrepid from old age, as he passed along from court, a friend inquired particularly about the state of his health. He replied, "My dear sir, 'hanging on, hanging on,' you see."

LORD PITMEDDAN AND ROB ROY, i.e. ROBERT MACGREGOR.—His Lordship, who was one of the judges of the court before whom Rob Roy was tried, has left this brief notice of the appearance and demeanour of the Highland brigand: "He was of low stature, but strong made, had a fierce countenance, and a brisk, hawk-like eye. He bore the torture of the 'boot' with great constancy, and was undaunted at his execution, though mangled by the executioner in cutting off his hand, for which the executioner was turned out."

THE LAW CRIMINAL.—Whoever discloses from criminal records anything that has both importance and novelty to recommend it will generally need no excuse for offering it to the public. The administration of the criminal law cuts to the very centre of society, and lays bare all its strata.—*J. H. Burton.*

EPITAPH ON A MAGISTRATE'S WIDOW.—

Her husband died, and while she tried
To live behind, could not, and died.

LAWS AGAINST THE CLAN GREGOR.—That no one of

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the clan be pardoned unless he bring in at least half a dozen heads as good as his own. In the same judicial spirit are the arrangements for the women and children. The wives were to be branded on the face with a red-hot key. "They and their young" were to be put at the disposal of the Legal Council.

WIESBADEN.—The Hôtel de Quatre Saisons is nicknamed the Quarter Sessions, from the number of lawyers that patronize it.

LORD TENTERDEN.—Late in life was a sour old gentleman, with the manners of a pedagogue.

PANNIER-MAN.—A servant belonging to the Temple and Gray's Inn, whose office is to announce dinner. This in the Temple is done by blowing a horn; and in Gray's Inn, by proclaiming the words manger, manger, manger in each of the three courts.

LORD GRANGE.—This judge was one of those rare characters, a perfect Christian, who led two distinct lives, the one immersed in pleasure, the other whitewashed with a covering of the purest piety.

QUEER BAIL.—Insolvent sharpers, who made a profession of bailing persons arrested. They are generally styled Jew bail, from that branch of the legal business being chiefly carried on by the sons of Judah. The lowest sort of these, who borrow or hire clothes to appear in, are called mounters, from their mounting particular dresses suitable to the occasion.

SUCCESS AT THE BAR.—Barristers succeed by many methods, some by great talents, some by high connections, some by a miracle, but the majority by commencing without a shilling.

WHEREAS.—"To follow a whereas;" to become a bankrupt, to figure among princes and potentates; the notice given in the *Gazette* that a commission of bankruptcy is issued out against any trader, always beginning with the word whereas. He will soon march in the rear of a whereas.

A JUSTICE HANGED FOR THE SAKE OF UNIFORMITY.—According to practice the scaffold from which the rotting bodies were suspended was circular and wheel-shaped, and was fixed up on the top of a strong beam, passing into the central socket like an axle, in fact was made like a turnstile, only the beam, on each end of which is nailed a strong iron

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hook to which the rope is fastened, has no motion. Now, the gallows were adapted for four, but there were only three hanging on it, and the general effect of the exhibition was unsymmetrical. The judge who had condemned the three to death being on his way towards Aberdeen, where he was to hold a circuit Court of Justiciary, was attacked by the outlaw leader Gilderoy, and taken prisoner. Deliberating on the proper destination of so precious a spoil, a savage impulse of practical sarcasm prompted him to complete the quadrangular uniformity of the gallows by there hanging the judge. "Now," said Gilderoy to the judge, "by my soul, mon, as this unlucky structure, erected to break people's craigs, is not uniform without a fourth person taking his lodging there too, I must e'en hang you upon the vacant beam." And he was as good as his word.

ON AN ILL JUDGE CALLED JUDE.—

A judge there was in a county afar,
And of the people a great executioner,
Who by name, I understand, was called Jude,
One gave him an ass, which gift he had view'd,
He asked the giver for what intent
He brought him that ass. "For a present
I bring, Master Jude," quoth he, "this ass hither;
To join Master Jude and this ass together;
Which two joined in one, this is brought to pass,
I may bid you good even, Master Jude—ass."
"Maccabee or Iscariot, thou knave?" quoth he;
"Whom it pleaseth your mastership, him let it be!"

Heywood, the King's Jester.

LAWS OF THE TWELVE TABLES.—The Romans sent an ambassador to Greece in order to procure a copy of these Laws. The Greeks would make no such costly gift till they were satisfied that the petitioners had men amongst them who could comprehend the wisdom of the Laws. They despatched an envoy to look into the matter, and when the Romans heard of him, they resolved to defeat him by means of a fool. They clothed him in purple, surrounded him with a guard of honour, and dismissed him to encounter the legal magnates from Greece, with one single point of instruction. He was on no account to open his mouth.

THE GAME LAWS.—

The squire's son rode through the faded fern,
And the rotting leaves, in the grassy ride;

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And he saw a corpse in the morning light,
With a great red wound in its side.

And he looked at the long lean hands of the dead,
At his hollow cheeks and his sunken eyes;
And he saw the prey in his hand, and knew
He had given his life for the prize.

"It was sadly needed, and dearly bought,
Heaven pardon the hand that has done the deed;"
And the cursed Game Laws came into his mind,
And their riddle was hard to read.

"And I would," said he, as he turned him home,
"The wise would define on a better plan
Our right to those wild things of the wood,
And the right of the starving man."

Hood.

ENGLISH CRIMINAL LAWS.—I incline as little to the sickly feeling which makes every canting speech, or maudlin lie of a notorious criminal a subject of newspaper report and general sympathy, as I do to those good old customs of the good old times, which made England, even so recently as in the reign of George III. in respect of her criminal code and her prison regulations, one of the most bloody-minded and barbarous countries on earth.

EPITAPH ON AN IMPORTANT FUNCTIONARY.

M. S. * * * *
Who died at his seat in Tyburn Road,
July, 1786, æt. 45.
To the shame of the present ungrateful age, not
so much lamented as he deserved to be for his
ancient family, high descent, and
exemplary conduct.
His death was a nation's loss, as there never was
more occasion for the display of those
eminent talents he possess'd.
He was a vigilant and active magistrate, a useful
member of society, and an honest man.
Though a servant of the Crown, without pension,
Though a popular leader, free from vainglory,
He kept one end in view, and that was the good
of the State, without tying himself to
Any party or factions.
He was a lover of liberty, and though not concerned
much about the press, he was known

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to procure for many persons that
inestimable privilege of Englishmen,
the habeas corpus.
His business of late years has been very considerable,
and it is supposed would have been
still more so had not powerful influence
interposed, and the right of trial
by appeal been evaded.
Tho' no Senator, one branch of the State owed to
him its principal strength and support.
Tho' not concerned in making the laws, he executed
them with fidelity incorruptible.
He was a man of strict justice, tho' his profession
was surrounded with many snares.
And notwithstanding all temptations to delay,
He finish'd public engagements with amazing
punctuality and dispatch.
The welfare of society was endeared to him by
indissoluble ties; and his life was devoted
to the preservation of the peace of the
community.
He liv'd and died a member of the Church of
England, and brought many into her
communion whom no arguments
but his own could persuade.
He celebrated its most sacred rites without
mercenary views, and thereby put infidelity
and hypocrisy out of countenance.
He advanced many to fame and distinction who
would otherwise have been obscure, and
rewarded without grudging those deserts
which must otherwise have lain
dormant.
His acquaintance was very extensive, and his
levees were crowded with a multitude
of followers unsolicited and unbribed.
Yet he never forsook his intimates or dropped his
dependants till death.
Fair and impartial in his dealings, tho' he has
shook hands with a peer of the realm,
He was not above performing the last offices to
the most ignoble and unworthy of mankind.
He has at various times fill'd the most upright
post in the kingdom, tho' no Secretary of State.
He was a clear and decisive expositor of Acts of

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Parliament, tho' neither commentator
nor judge.
Without pretending to understand the constitution
he was its best friend.
And without the reputation of a philosopher, he
best knew and applied the mechanical
powers to the advantage of the world.
Tho' many were candidates for his favours, he
conferr'd them chiefly on those who were
recommended to him by his most
gracious Sovereign.
Tho' he did not make many promises, like
statesmen, he performed them better, never
keeping long in suspense those whom
he meant to advance.
Had his connections been more numerous, and
his judgment more frequently consulted,
Great Britain happily would have had
nothing to fear abroad and nothing
to complain of at home.
His office was held in respect by all honest men
and hated by none but rogues.
In his circumstances he was independent but not
wealthy, having raised his fortune with
his own hands.
By the gratuities of those who were attached to
him he was enabled to set up his carriage,
which he kept till the day of his death,
uncensured, unenvied.
Yet so far from being proud of this elevation,
he was always ready to give a place to
those who made a better figure in
it than in their own.
O Reader!
What wilt thou say if death, which levels the
rich with the poor, forgetful of all obliga-
tions past, should aim his vengeful
dart at this matchless man?
Go and deplore this sad event, and if thou wast
inclined to shed thy tears over the sleeping
dust of patriots, prelates, judges, minis-
ters, and kings, spare one for him
who held mankind in more
awe, and more effectually
promoted their safety

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and happiness than
them all united.
Look upon his untimely end to be ominous to
thy country; and lest thou should forget
his name, know that this honest
tribute of praise is paid to the
memory of
Thomas Tallis, Esq.,
Late public executioner.

GRAY'S INN.—Its ancient site was part of a ville or manor, called Portpool, which formerly belonged to the Dean and Chapter of St. Paul's, London, from whom it passed to the Convent of Sheen; and on the dissolution of the monasteries in the reign of Henry VIII., it became vested in the Crown, and at length passed by various assignments to the Society of Gray's Inn. It was not within or parcel of the parish of St. Andrew's, Holborn, therefore this lawyers' property was exempt from paying rates to the parish.

A FEMALE ROBBER.—On Monday last, 24th of November, a wholesale butcher was robbed in a very gallant manner, near Romford, Essex. He was attacked by a woman on horseback, who presented a pistol at his head, and demanded his money. He was amazed at such behaviour in one of her sex, and told her he did not understand what she meant. By this time a gentleman of her acquaintance rode up, and told him he was a brute to make any hesitation in granting what a lady requested of him. Upon this the butcher thought proper to grant the lady six guineas, some silver and his watch.—*Gentleman's Magazine, Nov.* 1735.

She bought her a horse and a bridle,
With saddle and pistols also,
Resolving not to remain idle,
But on the highway she would go.

She clothed herself in great splendour,
Her breeches and sword she had on;
Her body appeared mighty slender,
'Twas dressed like a pretty young man.

And thus like a robber so pretty,
She mounted with speed on her mare;
She left all her friends in the city,
And steered her course towards Ware.

The first that she met was a grocer,
Walking with cane in his hand;

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She soon to the spark rode up closer,
And boldly made him to stand.

She took from him only a guinea.
The next was a taylor with shears;
Because the poor rogue had no money,
She nimbly cut off both his ears.

There too was a pinching old tanner,
For the loss of his money he cried,
Because the poor rogue bawl'd out loudly,
She bravely tanned his hide.

The next was a cheating old lawyer,
At assizes he pleaded the laws,
She took both his watch and his money,
And this was the truth of the cause.

THE FIRST MARTYR TO ENGLISH LAW—Was William Sautre, Rector of St. Osith's Church, London. He was tried by the Ecclesiastical Court (2 *Henry IV. c.* 15), found guilty, and being obstinate, as his accusers called it, faithful as his friends said, was delivered over to the secular power, and burned at Smithfield. This was in 1401.

A LEGAL OPINION.—Nevisanus, the lawyer, holds it for an axiom, most women are fools, "consilium fœminis invilidum;" Seneca, men, be they young or old.

WILLS.—The wills of Plato, Aristotle, Theophrastus, Eudamidas, Epicurus, and some others, have been preserved verbatim by Diogenes Laertius.

LAW LATIN.—A very learned gentleman within the bar is said to have moved the King's Bench for two Mandami, an application which probably astonished the court as much as when they were asked to quash a writ "quia improvide emanaverunt."

A BEQUEST.—Cartouche requested, when on the wheel, that his skull might be preserved in the Genovean Monastery at Paris, and accordingly it is to be seen to this day in the library of that building, as Eugene Aram's skull is daily on view and handled in York Castle.

A CONCEIT.—An idle Justice of Peace is like the picture of Saint George upon a signe post with his sword drawne to no purpose.

WOMEN'S LAW.—Not so long ago if a husband killed his wife maliciously, he committed murder, while if the wife

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killed her husband, she was guilty of treason, and the law sentenced her to the same punishment as if she had killed the king, which was, until seventy years ago, to be drawn and burned alive; and even at the commencement of the present enlightened century, if a woman stole a shilling's worth of bread she was hanged, while her husband perhaps was punished by burning in the hand, and a few months' imprisonment.

THE LANGUAGE OF THE LAW.—Sok, Sak, Tol, Tem, Infangtheof, Hangewyte, Vtangtheof, Hamfoken, Grithbrech, Blodwite, Flitwite, Fledwite, Flemenesith, Letherwyte, Childwyte, Forstatt, Scot, Geld, Hidage, Caruage, Danegeld, Hornegeld, Lesteage, Stallage, Chewyng, Miskennyng, Burgbruch, Wardwyte, Hundred, Bordhalpeney, Brigbote, Burgbote, Haverpeney (*Glossary of Sir Henry Spelman*). Nothing more singular can well be imagined than the language of British law in early times, when the English, the French, and the Latin were all employed. The proceedings in court, after the statute of Edward III., were carried on in English, reported in French, and entered upon record in Latin.

NOVEL MOTIONS.—A young gentleman newly called to the bar and not thoroughly acquainted with legal contractions had a brief put into his hands with the following indorsement upon it:—

Nokes. }
Styles. } Instructions.
Mr. Leatherhead ½ qua.

"To move for a *common* to examine witnesses."

The young gentleman accordingly moved the court, "My lords, I humbly move your lordships for a common to examine witnesses." "Pray, sir," said the Lord Chief Justice, "are your witnesses numerous?" "Yes, my lord." "Then take Salisbury Plain."

THE ORIGINAL OF THE LACONIC STYLE.—The Irens at supper were only permitted to give short and clear answers. This style was distinguished by the name of Laconic upon the principle that few laws would serve those who used but few words.—*Lycurgus.*

RELIGION—The supplement to the criminal and civil laws of a country, more powerful than they whether for producing good or evil. To worship good eating and drinking, women and the great, is the religion of the most.

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SIR MATHEW HALE.—Hale thought himself a great classic, and published to the world a translation of some portions of "Cornelius Nepos," which was the laughing-stock of the day. "Elatus est in lecticulâ," anglicè, "he was carried out (after he was dead) upon a bier," he translated, "He was lifted up in his bed." "Et sic, globus iste consensionis, dissensione unius hominis, disjectus est" (that is, "And so the confederated party was broken by one man's leaving them"), he rendered, "And so that ball of contention, by the dissent of one man, was let fall."

A ROBBER.—A man determined by misery, idleness, or debauchery to take by violence or stratagem, that which others will not give him of their own accord; but this crime against the laws, like many others, needs only to be committed on a large scale to find impunity.

SIR E. COKE.—When Coke was made Solicitor-General, Whitgift, the Archbishop of Canterbury, sent him a Greek Testament with a message, "That he had studied the common law long enough, and that he ought hereafter to study the law of God."

LAW.—"Nemo punitur pro alieno delicto." No man is to be punished for the crime of another. It is to be observed that this is a law and not a State maxim. The people in every State are punished for the sins of those who administer law and justice.

TREASON.—A fuller of Shores-ditch appeached of treason many worthy esquires and gentlemen of Kent, but he being proved false, was attainted, condemned, and had judgment to be drawn, hanged, and quartered, which was done, his head set on London Bridge, and his quarters on the gates. This justice was done according to the sixteenth of Deuteronomy, "The judges shall make diligent inquisition, and if the witness be found false, and to have given false witness against his brother, then shall they do unto him as he had thought to do unto his brother."

SANCTUARY.—The Deanery of Saint Martin's had the privilege of sanctuary in the time of King Henry VI.

BAILIFFES.—In the year of King Richard I. the citizens of London obtained to be governed by two Bailiffes, which Bailiffes are in divers ancient deedes called Sheriffes, according to the speech of the law, which called the Shire, Balliva,

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for that they, like as the Portgraves, used the same office of Shrive Wicke, for the which the City paid to the "fee farme" 300*l.* yearly.

MARTIAL LAW. — Charlemagne obliged four thousand Saxon prisoners to embrace the Christian religion, and immediately after they were baptized, ordered their throats to be cut.

"The vanquish'd were baptiz'd with blood."

A FLASH.—The fees of a pander and a punie clarke were much alike, for the pander had but two pence next morning for making the bed, and that was a penny a sheet.

LORD KENYON.—Kenyon's style of oratory always reminded his hearers of a young Irishman's account of the first Bar speech he ever heard : "Your lordships perceive that we stand here as our grandmother's administrators *de bonis non;* and really, my lords, it does strike me that it would be a monstrous thing to say that a party can now come in, in the very teeth of an Act of Parliament, and actually turn us round, under colour of hanging us up, on the foot of a contract, made behind our backs."

A PLEASING INCIDENT.—A waterman of a man of quality having squabbled with a citizen about his fare, showed his badge, the crest of his master, which happened to be a swan, and thence insisted on better treatment from the citizen. But the other replied carelessly, that he did not trouble his head about that goose. For this offence he was summoned before the Marshal's Court, was fined, as having opprobriously defamed a crest, by calling the swan a goose, and was in effect reduced to beggary.—*Clarendon.*

A NOVEL PUNISHMENT.—Archy, the king's fool, who had the privilege of jesting on his master and the whole court, happened unluckily to try his wit upon Laud, who was too sacred a person to be played with. News having arrived from Scotland of the first commotions excited by the liturgy, Archy, seeing the Primate pass by, called to him, "Who's fool now, my lord?" For this offence Archy was ordered, by sentence of the judicial council, to have his coat pulled over his head, and to be dismissed the king's service.

OLD CAMILLUS' RULES. — These were military laws, enacted at the siege of Veii in Etruria, a siege as tedious as that of Troy, in order to prevent the frequent pleas of absence from the camp ; in modern times better known under "urgent private affairs."

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Bardiacus judex datur hæc punire volenti
Calceus, et grandes magna ad subsellia suræ,
Legibus antiquis castrorum, et more Camilli
Servato, miles nevallum litiget extra.

A warlike officer thy judge shall be,
In arms around shall stand the soldiery,
Great lawyers crowd the benches, and the cause
Obey the bent of military laws;
Of old Camillus' rules, who erst ordain'd
The brutal soldier should not be arraign'd
For foulest crimes without the trench, or far
From the high standard of embattled war.
Oh, righteous court, where generals preside,
And regimental rogues are justly tried.

SIR DUDLEY DIGGES.—Digges was the builder of Chilham Castle, Kent; it was he who moved the impeachment of the Duke of Buckingham, for which job he was rewarded with the Mastership of the Rolls.

The heads on London Bridge on poles,
That once had bodies and honester soules
Than hath the Master of the Roales,
Which nobody can deny.

AN UNENVIABLE COLOUR.—Blue was the colour which, by law, the Gauls clothed their slaves (*Pliny*); and blue coats, for many ages, were the livery of servants, apprentices, and even younger sons, as it is now of the Bluecoat Boys, and of other Blue Schools in the country. Hence the proverb, "He is in his better blue clothes."

Chaucer, however, in his "Court of Love," mentions blue as the emblem of constancy.

"O weel may the keel row, the keel row, the keel row,
O weel may the keel row that my lad's in.
He wears a blue bonnet, a blue bonnet, a blue bonnet,
He wears a blue bonnet, and a dimple in his chin."
Newcastle Song.

The beadles of Bridewell, whose duty it was to whip the women, were clad in blue.

PUNISHMENT OF STUBBS BY MUTILATION.—John Stubbs had published a book called "The Discoverie of a Gaping Gulf." The freedom of this work caused the author, Stubbs, with Page, the publisher, and one Singleton, the printer, to be tried on an Act passed by William and Mary against the

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writers and dispensers of seditious publications. They were convicted, after much wrangling among the lawyers, whether the Act was temporary or not. Stubbs and Page received sentence to have their right hands cut off. They accordingly suffered the punishment, the wrist being divided by a cleaver driven through the joint by force of a mallet. They were both men of honest and unblamable repute. Derrick, the hangman, adjusting the edge of his cleaver on the very joint, hit it with the mallet with such force that the hand flew off as far from the owner as a gauntlet which the challenger casts down in the tilt-yard. Well; Stubbs lost no whit of countenance, until the executioner clapped the hissing hot iron on his raw stump; it fizzed like a rasher of bacon, and Stubbs set up an elritch screech, which made some think his courage abated.

THE COUR ROYALE OF GUERNSEY.—"Sorcerers" and such-like were bound upon a heap of fagots, by this law-court, and burnt alive. In these days it condemns them to eight weeks' imprisonment, four weeks on bread and water and the remainder of the term in solitary confinement. The last consignment of a sorcerer to the flames in Guernsey was in 1747. Between 1565 and 1700, eleven sorcerers were burnt alive in the Carrefour du Bordage, the square devoted by the authorities to the extirpation of sorcery and heresy.

ASSIZE OF CLARENDON.—This fabric (1166) of judicial legislation had for its object the revival of the old English system of mutual security, or franke-pledge.

ATTORNEY.—Means a substitute (French, *ad tourner*), meaning one substituted for another; properly speaking, solicitors belong to the Chancery Court, and attornies to the other courts.

THE MARSHAL'S COURT—Which took cognizance of offensive words, and was not thought sufficiently limited by law, was for that reason abolished in 1641. The Stannary Court, being liable to a like objection, underwent a like fate in 1641.

LORD KENYON.—When Kenyon was on the home circuit, a young woman was tried before him for having stolen to the amount of forty shillings in a dwelling-house. It was her first offence, and was attended with many extenuating circumstances. The prosecutor appeared, as he stated, from a sense of duty; the witnesses very reluctantly gave their

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evidence, and the jury still more reluctantly their verdict of guilty. The case of the poor girl excited great interest in court. The judge passed sentence of death. She instantly fell lifeless at the bar.

JAPAN.—By the Emperor of Japan, almost every crime is punished with death. The question is not so much to punish the delinquent as to vindicate the justice of the law.

QUIPS OF LAW.—Called devices of Cépola, from Bartholomew Cépola, whose law quirks, teaching how to elude the most express law, and to perpetuate lawsuits *ad infinitum*, have been frequently reprinted, once in octavo, in black letter, by John Petit, in 1508.

LOLLARDS.—So called from lolium, a tare or weed; Sir John Oldcastle agreed to a law by which Lollards were to be treated as traitors as well as heretics, and were to forfeit all their land and other property to the king. By the same Act, all magistrates, judges, and sheriffs were ordered to assist the ordinaries in their attempt to root out heresy.

THE WILL OF SENNACHERIB.—Was found in the royal library of Konyunjik.

A SCRIVENER.—
Thou son of parchment got betwixt the inkhorn and the stuff process bag,
The pen thy father, and the ink thy mother,
The wax thy brother, and the sand thy sister,
And the good pillory thy cousin allied.

THE LAWS OF HOWEL DHA.—Who reigned in South Wales in the tenth century, were printed, with a Latin translation, by Wotton in his Leges Walliciæ.

SERJEANT BUZFUZ.—A driving, chaffing, masculine bar orator, who twists chops and tomato sauce into a declaration of love.—*Dickens.*

GRAY'S INN.—Was the inn or mansion of the Lords Grey.

HANAPER.—Exchequer-office where all writs relating to the public were formerly kept in a hamper (*in hanaperio*). Hanaper is Norman for a hamper.

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LOCKMAN.—Or hangman, a Scotch term for a finisher of the law.

KIND GALLOWS OF CRIEFF.—This celebrated gibbet was in the memory of the last generation, still standing at the western end of the town of Crieff, in Perthshire. Why it was called the kind gallows it is difficult with any certainty to state. But it is alleged that the Highlanders used to touch their bonnets as they passed that which had been fatal to many of their countrymen, with the ejaculation, "God bless her nain sell, and the Teil tamnipu."

DOOMSTER, OR DEMSTER OF COURT.—The production of the executioner in open court, and in presence of the wretched criminal, had something in it hideous and disgusting. The usage of calling the demster into court by the ringing of a hand-bell to repeat the sentence on a criminal is said to have been abrogated in March, 1773.

A CLEVER FORGERY.—A clerk of the Chancery joined two clean parchments, fit for letters patents, so close together with mouth-glew, as they were taken for one, the uppermost being very thin, and did put one label through them both, then upon the uttermost he writ a true label, and got the great seal put to the label; so the label and the seal were annexed to both the parchments, the one written and the other blank. He cut off the glewed skirts round about, and took off the uppermost thin parchment (which was written, and was a true and perfect patent) from the label, which, with the great seal, did still hang to the parchment, and did publish it as a good patent.—3 *Inst.* 16. *See Co. Rep.* xii. 15. *Kyl.* 80. 138. *Hale's Hist.; pl. Cor. I.* 182.

A LAWYER'S OPINION ON WILL-MAKING.—A wealthy individual, being on the point of death, sent for an attorney to make his will. Having instructed him as to the disposal of his property, he particularly desired that the document might be drawn up with such care and accuracy that no contention could possibly arise out of it after his decease. "A will that cannot be contested," exclaimed the lawyer. "I should be clever indeed if I could undertake to produce that. Why, our Lord Himself, who was not only the wisest of men, but God besides, never made but one Testament, and look at the disputes there have been over that for the last sixteen

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hundred and eighty years. It is too much to expect me to accomplish what has proved too hard a task for Divine ability."—*Boursault.*

EQUITY.—
Give way—give way—I must and will have justice,
And tell me not of privilege and place:
Where I am injured, there I'll sue redress.
Look to it, every one who bars my access;
I have a heart to feel the injury,
A hand to right myself, and, by my honour,
That hand shall grasp what grey-beard law denies me.—
The Chamberlain.

NORTHERN LAW COURTS.—The belief that the corpse of a murdered person would bleed on the touch, or at the approach of the murderer, was universal among northern law-courts. It was seriously urged in the High Court of Justiciary so late as 1688, as an evidence of guilt. The case was that of Phillip Standsfield, accused of the murder of his father.

THE KING'S KEYS.—Are the crowbars and hammers used to force doors and locks, in execution of the King's warrant.

HUDIBRAS' LAWYER.—
With book and money placed for show,
Like nest-eggs, to make clients lay,
And for his false opinions pay.

PRIMOGENITURE.—A rational, sensible, and intelligent law of our blessed country, which entails wealth and estates upon the eldest son, poverty and debts upon the younger ones; a law completely contrary to nature, common sense, and revealed religion, which inculcates equality among men, and therefore eagerly adopted and supported by the thick-headed English.

MR. JUSTICE POWIS.—It was Powis's misfortune to be so addicted to blunders, that the late Duke of Wharton took occasion to introduce him into a lampoon; wherein the Duke was very severe on several judges of that period.

When York to heaven shall lift one solemn eye,
And love his wife above adultery;
When godliness to gain shall be preferr'd
By more than one of the right reverend herd;
When Parker shall pronounce one right decree,

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And Hungerford refuse his double fee ;
When Pratt with justice shall dispense the laws,
And King impartially decide a cause ;
When Tracey's generous soul shall swell with pride,
And Eyre his haughtiness shall lay aside ;
When honest Price shall trim and truckle under,
And Powis sum a cause without a blunder ;
When Page one uncorrupted finger shows,
And Fortescue deserve another nose ;
Then shall I cease my charmer to adore
And think of love and politics no more.

Life of Lord Hardwicke.

JUSTICE.—

Yes, I love justice well—as well as you do,
But since the good dame's blind, she shall excuse me,
If, time and reason fitting, I prove dumb.
The breath I utter now shall be no means
To take away from me my breath in future.

Old Play.

AN ATTORNEY'S ADVICE.—

Attorney : "My dear madam, I find that your estate is heavily encumbered. You will have enough to live upon, but you must husband your resources."

Widow : "Well, my daughter Mary is my only resource now."

Attorney : "Exactly. Husband her as soon as possible."

LAW.—

Throat : "And how think'st thou of law ?"

Dash : "Most reverently. Law is the world's greatest delight ; a second sun to this terrestrial globe, by which all things have life and being, and without the which confusion and disorder soon would seize the general state of men ; war's outrages, the ulcerous deeds of peace, it curbs and cures. It is the kingdom's eye by which she sees the acts and thoughts of men."

Throat : "The kingdom's eye ! I tell thee, fool, it is the kingdom's nose, by which she smells out all these rich transgressors."

Nor is't of flesh, but merely made of wax ;
And 'tis within the power of us lawyers
To wrest this nose of wax which way we please.
Or it may be, as thou say'st, an eye indeed ;
But if it be, 'tis sure a woman's eye
That's ever rolling."

Lodowick Barry, Ram Alley.

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THE BARRISTER.—In a word, whilst he lives he is the delight of the court, the ornament of the bar, the glory of his profession, the patron of innocency, the terror of deceit, and the oracle of his country, and when death calls him to the bar of heaven, by a habeas corpus cum causâ, he finds his judge his advocate, nonsuits the devil, obtains a decree nisi from all his infirmities, and continues still one of the long robe in glory.

SPECIAL PLEADING.—Quibbling, making your own argument good by forcing certain words or phrases from their obvious and ordinary meaning.

SERJEANTS-AT-LAW.—Frères serjens, French—a corruption of the Fratres servientes of the Templars.

A ROMAN CUSTOM.—Among the Romans it was customary to write the name of the testator on the first page of the will, that of the heir or heirs on the second, and the description of the property followed.

LITIGATION.—Is chiefly avoided by hearing one side of the question, concluding, as Judge Gripus did of old, that the contrary method serves only to introduce uncertainty and confusion.

JUDGES—Were formerly called "sad men of the law." "Sad" is synonymous with "grave," "wise."

A NOTE OF OBSERVATION.—The four pleaders, the chamberlain, town clerk, common serjeant, two judges of the Sheriff's Court, the secondaries, the under-chamberlain, and bridge masters, are to attend the "Lord Maior" at his house before his going abroad on all "Festivall times and generall dayes."

BREHON LAW.—So styled from the Irish name of judges, who were denominated Brehons.

PHEASANT—In law, is a "fowl of warren."

SCOT-FREE.—

Beggar! the only freeman of your commonwealth
Free, above scot-free, that observe no laws,
Obey no governor, use no religion
But what they draw from their own ancient custom,
Or constitute themselves, yet they are no rebels.
Brome.

THE FOREMAN OF A JURY.—A foreman of a jury in May, 1830, stated that at the time when culprits were executed

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at Tyburn it was very common for the bodies of malefactors to be brought from the gallows to the fields, and even gardens, in the neighbourhood, and thrown into holes dug for that purpose. This was done to save the expenses of a regular funeral.

PROPERTY.—Is acquired by adverse possession gradually ripened by legal prescription.—*Savigny.*

CATCHPOLE.—Cacchepoles, from catch and pole, because these officials lay hold of a man's neck.

Wiclif's New Testament.

THE BLOODY BILL.—The 31 Henry VIII., c. 14, which denounced death by hanging or burning on all who denied the doctrine of transubstantiation.

NEWGATE.—A common name for all prisons, as homo is a common name for man or woman. London had but three gates, Aldgate, Aldersgate, and Ludgate. The new one was added in the reign of Henry I.

CORRUPTION OF THE JUDGES.—"There cannot," said Hide, speaking against the judges in the case of ship-money, "be a greater instance of a sick and languishing commonwealth than the business of this day. 'Tis no marvel that an irregular, extravagant, arbitrary power, like a torrent, hath broken in upon us; and when our banks and our bulwarks, the laws, were in the custody of such persons. Men who had lost their innocence could not preserve their courage; nor could we look that they who had so visibly undone us themselves, should have the virtue or credit to rescue us from the oppression of other men."—*Rushworth.*

A LINGERING DEATH.—Catherine Hayes took three hours in burning.

A PRISONER'S RETORT.—Two men were imprisoned, one for stealing a watch, the other for the theft of a cow. Meeting one day in the prison-yard, the cow-stealer, who had a grudge against the other, asked what o'clock it was. "Milking time," was the prompt and crushing reply.

EPITAPH ON A WOOLCOMBER, WHO WAS HANGED FOR SHEEP-STEALING.—

Beneath this gallows lies Tom Kemp,
Who lived by wool and died by hemp;
The fleece would not suffice the glutton,
But with it he must steal the mutton.

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Had he but work'd, and lived uprighter,
He'd ne'er been hung for a sheep-biter.

LAWS OF DRUNKENNESS.—A blow by a drunken man was more severely punished than if it had been given by a sober one.—*Aristotle.*

BANKRUPTS.—Bankrupt money-lenders in Italy used to display the money they had to lend out on a banco, or bench; when one of these money-lenders was unable to continue business, his bench or counter was broken up, and he himself was spoken of as a bancorutto.

EXECUTIONS AT THE STANDARD IN CHEAPE.—We read that in the year 1293, three men had their right hands smitten off there, for rescuing a prisoner, arrested by an officer of the city. In the year 1326, the burgesses of London caused Walter Stapleton, Bishop of Exeter, treasurer to Edward Second, to be beheaded at the Standard in Cheape, but this was Paul's Gate. In the year 1351, the 26 of Edward the Third, two fishmongers were beheaded at the Standard in Cheape, but I read not of their offence. 1381, Wat Tyler beheaded Richard Lyons and others there. In the year 1399, Henry the Fourth caused the "Blank Charters," made by Richard the Second, to be burnt there. In the year 1450, "Jack Cade," captain of the Kentish rebels, beheaded the Lord Say there. In the year 1461, John Davey had his hand cut off there, because he had stricken a man before the judges at Westminster.

THE HIGHEST OFFICER IN THE STATE.—There is an island in the Archipelago, where the hangman is the highest and first officer in the State. Nay in this country, the Sheriff himself, who is one of the most considerable persons in his court, is in law the hangman, and Mr. Ketch only his deputy.

COIF.—On a serjeant's wig was originally introduced to hide the tonsure of such renegade clergy as were still tempted to remain in the secular courts, in the quality of advocates or judges, notwithstanding their prohibition not to practise therein. The use of it anciently was to cover tonsuram clericalem, otherwise called corona clericalis; because the crown of the head was close shaved, and a border of hair left round the lower part, which made it look like a crown.—*Blount.*

WIGS AND HAIR.—Sir Thomas Moore was a justiciary

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coxcomb of the highest degree in the value he set on his hair. Gentlemen used to comb their wigs in company and public places. The Medes were very expert in the art of imparting artificial charms to their persons. Xenophon, in his "Cyropedia" (B. i. c. 3), relates that when Cyrus, at the age of twelve years, went with his mother to visit his grandfather Astyages, king of the Medes, he found him adorned with paint around his eyes, colour on his face, and a magnificent wig of flowing ringlets. The boy thinking all this was real, turned round to his mother, and exclaimed, in his naive admiration, "Oh, mother, how handsome my grandfather is!" All Asiatic people attach the greatest value to their hair; and well did Mausolus, king of Caria, turn this fondness to account, when he resorted to the following stratagem to replenish his impoverished exchequer.

Having first had a quantity of wigs made, and carefully stored in the royal warehouses, he published an edict compelling all his subjects to have their heads shaved. The unfortunates had to submit; and when, a few days after, the monarch's agents went round offering the perukes destined to cover their denuded polls, they were glad to buy them at any price.

Suetonius informs us that the Roman perruquiers had attained proficiency in the art; for he states, Otho's wig was so cleverly made that it looked perfectly natural. These appendages were very costly at the time, and a certain Phœbus, who had probably more imagination than ready cash, drew on his bald pate imaginary locks by means of a dark pomatum, whereupon Martial thus apostrophizes him in his usual sarcastic style :—

> Phœbus belies with oil his absent hairs,
> And o'er his scalp a painted peruke wears;
> Thou need'st no barber to dress thy pate,
> Phœbus; a sponge would better do the feat.
>
> *Martial*, b. 6. lvii.

Sabina Poppea, Nero's wife, wore amber-coloured hair, so did all the Roman ladies in an instant; her fashion was theirs. Capillos habuit succineos, exinde factum ut omnes puellæ Romanæ colorem illum affectarent. (*Plinius, L.* 37, *c.* 3.) Curiously enough, in the old tapestries, Cain and Judas were represented with yellowish-red beards; a conceit very frequently alluded to in early books.

> "And let their beards be of Judas his own colour."
>
> *The Spanish Tragedy.*

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Again, in "The Insatiate Countess," by Marston,—

"I ever thought by his red beard he would prove a Judas."

Lucian describes the hair of the Grecian ladies as stained with a red dye, and falling over their shoulders. In the great dining-room of Lambeth Palace, there are portraits of all the Archbishops, from Laud to the present time, in which may be observed the gradual change in the habit, in the article of wigs. Archbishop Tillotson was the first prelate that wore a wig, which then was not unlike the natural hair, and worn without powder. [1633, 21 James I.]

Not frizzed and frittered, pinned and rolled,
Sublime their artless locks they wear,
And gorgeous dames, and judges old,
Without their têtes and wigs appear.
In the midst a form divine,
Her dress bespeaks the Pennsylvanian line:
Her port demure, her grave, religious face,
Attempered sweet to virgin grace.
What sylphs and spirits wanton through the air!
What crowds of little angels round her play!
Hear from thy sepulchre, great wig! oh hear,
A scene like this might animate thy clay.
Simplicity now soaring as she sings,
Waves in the eye of heaven her wig-lapped wings.

ARRESTING CLERGYMEN.—It is an offence to arrest a clergyman even while going to or from the place of performing divine service; for it is enacted that if any person shall arrest any clergyman upon any civil process while he shall be performing divine service, or shall with the knowledge of such person be going to perform the same, or returning from the performance thereof, every such offender shall be guilty of a misdemeanour.

BARRISTER.—The bar, or barr, is the rail which divides the counsel from the audience, tantamount to the rood-screen of a church, which separates the chancel from the rest of the building. Both these are relics of the ancient notion that the laity are an inferior order to the privileged class.

TÒ ΠΡΕΠΟΝ.—Here, courteous reader, I beg to draw your attention to the great wisdom of our law, which refuses to admit the evidence of wife for or against her husband. "This," says a certain learned author, who, I believe, was never quoted before in any but a law-book, "would be the

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means of much perjury, and of much fining, imprisoning, transporting, and hanging."

WITCHES.—As many as nine millions of persons have suffered death for witchcraft since the Bull of Innocent VIII., "Summis Desiderantes," in 1484.—*Dr. Sprenger's Life of Mohammed.*

BISHOP WARBURTON.—Once said, "As unfit as I am for heaven, I had rather hear the last trumpet than a citation from the Court of Chancery. If ever you have seen Michael Angelo's 'Last Judgment,' you have there, in the figure of the Devil, who is pulling and lugging at a poor sinner, the true representation of a Chancery lawyer, who has catched hold of your purse."

BLOODY ASSIZES.—Held by Jefferies, the blood boltered, in 1685; 300 were executed, more whipped and imprisoned, and 1000 sent to the plantations.

PERJURY.—In the year 1751, the punishment of all perjury was only pillory, and transportation for seven years; and as it was a traversable and bailable offence, methods were often found to escape punishment at all. By removing the indictment by certiorari into the King's Bench, the trial was so long postponed, and the cost so highly increased, that prosecutors were often tired out, and some incapacitated from pursuing.

A HUNDRED.—Ten families of freeholders make up a town of tithing, so ten tithings compose a superior division called a hundred, of ten times ten families. In some of the northern counties these hundreds are called "Wapentakes," so called because the people at a public meeting confirmed their union with the governor by touching his "weapon," or lance.—*Cowell.*

GAME LAWS.—A salmon from the pool, a wand from the wood, and a deer from the hills, are thefts which no man was ever ashamed to own. This is a very ancient apophthegm. English Game Laws, which Mr. Justice Blackstone denominated a bastard slip of the Forest Laws, are, in fact, a refinement in insult on the savage code of William Rufus.

ABUSES IN LAW.—In process of time, as well as from the nature of things changing, as corruption of agents, abuses will grow up, for which reason the law must be kept as a garden, with frequent weeding. That which in one age was

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convenient, in another becomes an intolerable nuisance.—*Roger North.*

FACILITY OF DIVORCE.—

Fool! is a slave my fellow? let him fall!
My will is law, my pleasure all in all.
Thus rules the wife; but soon, induc'd to fly
To a strange bed by sweet variety,
Rends her old wedding robe, assumes a new,
Tries other mates, and then returns to you;
Leaving some bridegroom in the festal hours,
And his gay threshold hung with living flow'rs.
So swells her list of husbands, wife of eight
In five short summers, wond'rous to relate,
And worthy to be written on her tomb,
To raise the envy of the maids of Rome.
Juv. Sat. VI. v. 348.

PLUTARCH.—That woman who hath a mind to leave her husband, must give in a separation bill to the Archon, with her own hand and not by a proxy.

WILL OF J. M. TURNER, R.A., 1851.—The documents in this chancery suit, which extended to four years, are of several tons' weight. The bills of costs alone would fill ten costermongers' carts.

SINECURES.—Lord Ellenborough was clerk in the King's Bench, with an income of 9625*l.*; he was also custos brevium in the same court. This pompous man was always throwing out threats against those who ventured to make comments on the heavy contributions levied by sinecurists on suitors for justice. Lord Kenyon was custos brevium with Lord Ellenborough—united sinecure, 2996*l.* per annum. Lord Kenyon's brother, the Hon. Thomas, was filazer and clerk of outlawries, with emoluments averaging 7000*l.* a year.

A LANDLORD.—Though the word has something of a feudal sound, at the present he is considered as a dealer in land; and the occupier at rack-rent, when he has made his half-yearly payment, thinks himself as good as the owner.

THE LAST DISBURSEMENTS.—

	s.	*d.*
For three loads of faggots to burn Ridley and Latimer	12	0
For one load of wood for furs-faggots . .	3	4

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		s.	*d.*
For the carriage of these four loads	. .	2	0
„ a post	. . .	1	4
„ two chains	. . .	3	4
„ four labourers	. .	2	8

The charges for burning Cranmer appear to have been slightly in excess of the above bill:—

	s.	*d.*
For one hundred of wood faggots . .	6	0
For one hundred and a half furs-faggots .	3	4
For the carriage of them	0	8
To two labourers	1	4

The two gentlemen, Mr. Winkle and Mr. Wells, who provided the materials, it appears, were unable to get their accounts and charges liquidated, amounting to 63*l.* 10*s.* 2*d.* Out of this modest sum, they never could obtain for the job more than 20*l.*

TAM OF THE COWGATE.—Sir Thomas Hamilton, the Scotch lawyer, who lived in the Cowgate of Edinburgh, died in 1596.

ARISTOTLE.—Defined law to be reason without passion, and despotism, or arbitary power, to be passion without reason.

EVERY THING HAS TWO HANDLES.—This is about the best case of Law *v.* Justice and Common Sense. Some men were condemned to death for murder. The judges were then informed by the officers of an inferior court, that certain persons in their custody had confessed themselves guilty of the murder in question, and had told so circumstantial a tale, that the fact was placed beyond doubt. Nevertheless it was deemed so bad a precedent to revoke a sentence and show that the law should err, that the innocent men were delivered over to execution.—*Montaigne.*

A NEW MACHINE.—At a quarter past eight o'clock, Aug., 1807, George Finch and William Tomlinson were hanged for returning home from transportation, and William Pearce for horse-stealing, on a new machine opposite Newgate.

JUDGE TOMLINSON.—In a ludicrous speech, on swearing in the sheriffs, said, "You are the chief executioners of sentences upon malefactors, Mr. Sheriffs; therefore I shall entreat a favour of you. I have a kinsman, a rope-maker, and as I know you will have many occasions during the year for his services, I commend him to you."

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AN EASTERN CUSTOM.—We laugh at the Indians for casting in great store of gold yearly into the River Ganges, as if the stream would not run without it; yet when the current of justice is stopped in many courts, the wisest solicitor of suits can find no better means than such as the Indians use by dropping in early in the morning gold and silver into their Ganges to make it run.—"*Clavis Mystica*," *Dr. Featley.*

LAWYERS' DIFFERENCES.—When the fraternity disagree, they do not suffer the public to know it, for whichever disputant might gain the advantage, the whole profession would suffer by the exposure.

THE TALMUD.—The Jews in the Talmud have this saying: The whole law was given to Moses at Sinai, in six hundred and thirteen precepts. David, in the fifteenth Psalm, brings them all within the compass of eleven. Isaiah brings them to six (*Isa.* xxxiii. 15). Micah to three (*Micah* vi. 8). Isaiah again to two (*Isa.* lvi.). Habakkuk to this one—The just shall live by faith (*Hab.* ii. 4).

ACCOMMODATION.—A bad accommodation is preferable to a better lawsuit. A contrivance of the false, and of all who have a wide conscience and a narrow heart.

MAGISTRATES.—In matters of high importance, particularly in cases relating to game, the Justices of the Peace are not always attentive to the admonitions of their clerks; for, indeed, in executing the laws under that head, many Justices of Peace suppose they have a large discretionary power, by virtue of which, under the notion of searching for, and taking away engines for the destruction of the game, they often commit trespasses, and sometimes felony, at their pleasure.—*A Foundling.*

LAW PLEADINGS.—A.D. 1730. This year an Act of Parliament passed, that all pleadings in courts of justice in England, and in the Court of Exchequer in Scotland, shall be in the English language.

A MORSEL OF LAW-FRENCH.—Le reste del argument jeo ne pouvois oyer car jeo fui disturbe en mon place.

Frenche she spake full fayre and fetishly,
After the schole of Stratford atte Bowe,
For French of Paris was to hire unknowe.
Prioress Eglantine.

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EXCHEQUER.—This court took its name à Tabula ad quam assidebant, the cloth which covered it being party-coloured or chequered (*Camden*). Cheator (Fr. escheoir), an officer of the King's Exchequer, appointed to receive dues and taxes. The present use of this word shows how the officials were wont to fleece the people.

BARRISTERS.—In state affairs, all barristers are vain.—*Pursuits of Literature.*

COWPER LAW.—A corruption of Cupar, is trying a man after execution. Cowper justice had its rise from a Baron-baile in Cupar Angus, before heritable jurisdictions were abolished. "Cowper law, as they used to say in Scotland, hangs a man first, and then judges him."

LORD CHIEF JUSTICE GLIN.—

He that comes now down stairs,
  Is Lord Chief Justice Glin.
If no man for him cares,
  He cares as little again.
The reason, too, I know't,
  He help't to cut Strafford's throat,
And take away his life,
  Though with a cleaner knife.
Sing hi, ho, Briton bold,
  Straight to the bar you get,
Where it is not so cold
  As where your Justice set.

Rump Song.

KINLESS LOON.—The judges whom Cromwell sent into Scotland were so termed because they condemned and acquitted those brought before them wholly irrespective of party, and solely on the merits of the charge which they were accused.

DRACO.—The severe law-giver of Athens, whose statutes were not written with ink, but blood.

I am asham'd to hear such fooleries,
Many will talk of title to a crown.
What right had Cæsar to the Empire?
Might first made kings, and laws were then most sure,
When, like the Draco's, they were writ in blood.

SERJEANTS' AND ATTORNIES' CLERKS.—

Captain Bilkum, Mother Punchbowl.

Mother: What is the reason, Captain, that you make

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This noise within my house? Do you intend
To arm reforming constables against me?
Would it delight your eyes to see me dragg'd
By base plebeian hands to Westminster,
The scoff of serjeants' and attornies' clerks,
And then exalted on the pillory,
To stand the sneers of ev'ry virtuous W—
Oh, could'st thou bear to see the rotten egg
Mix with my tears, and trickle down my cheeks,
Like dew distilling from the full-blown rose?
Or see me follow the attractive cart,
To see the hangman lift the virgal rod,
That hangman you so narrowly escap'd!

Capt. Bilk: Ha! that last thought has stung me to the soul,
Damnation on all laws, and lawyers too:
Behold thee carted—oh forefend the sight,
May Bilkum's neck be stretch'd before that day.

Old Play.

TESTATORS.—Among the Greeks it was customary to imprecate the most formidable curses on those who should attempt to violate the wishes of the testator.—*Demosthenes, Phorm.* 960.

SCRIVENERS.—Ah, sir, it is a terrible thing to borrow money; a man must have dealt with the devil to deal with a scrivener.—*The Miser.*

"Thou hast a tongue,
Might charm a bailiff to forego his hold."

"Very likely, indeed! I fancy, sir, if ever you were in the hands of a bailiff, you would not escape so easily."—*Prolegomena.*

Bardolph. The sheriff with a monstrous watch is at the door.—*Henry IV.*

EXECUTION.—The only legal tragedy whose dénouement is real. A favourite spectacle with those who can be moved only by strong sensations.

WILLS.—Wills were unknown among the Germans. "Apud quod hæredes successoresque sui unicuique liberi, et nullum testamentum."—*Tacitus*, "*De Moribus Germanorum*," chap. xx.

FIELDING.—As to lawyers, they are well known to have been very little acquainted with the commonwealth of

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literature, and to have always acted and written in defiance to its laws.

IN PHILONEM.—

Philo, the lawyer, and the fortune-teller,
The schoolmaster, the midwife, and the bawd,
The conjurer, the buyer and the seller
Of painting which with breathing will be thaw'd,
Doth practise physic ; and his credit grows,
As doth the ballad-singer's auditory,
Which hath at Temple Bar his standing chose,
And to the vulgar sings an ale-house story.
First stands a porter, then an oyster-wife
Doth stint her cry, and stay her steps to hear him ;
There stands the constable, there stands the ——
And, listening to the song, heed not each other ;
There by the serjeant stands the debitor,
Then comes a lawyer ready for a brief,
And then a country client presses near him,
And doth no more mistrust him than his brother.
Thus Orpheus to such hearers giveth music,
And Philo to such patients giveth—Law.

LAW OF NUMBERS.—The laws governing numbers are so perplexing to the uncultivated mind, and the results arrived at by calculation are so astonishing, that it cannot be matter of surprise if legal superstition has attached itself to numbers. When I see men of genius not daring to sit down thirteen at table, there is no error, ancient or modern, which astonishes me.

LENGTH OF LEGAL INSTRUMENTS.—Is, to a human being endowed with common sense, simply astounding. A gentleman, upon whose will the Reminiscent was consulted, had six estates of unequal value, and wished to settle one on each of his sons, and his male issue, with successive limitations over the other sons, and their respective male issue, in the ordinary mode of strict settlement ; and with a provision that in the event of death, and failure of issue male of any of the sons, the estate devised to him should shift from him and his issue male, and failing there, to the persons claiming under the other limitation. It was considered at first that this might be effected by one proviso ; then by two, and then by six ; but upon a full investigation it was found that it required as many provisoes as there can be combination of the number 6 ; now—

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$$1 \times 2 \times 3 \times 4 \times 5 \times 6 = 720.$$

Consequently, to give complete effect to the intention of the testator, 720 provisoes were necessary.

By a similar calculation, if a deed, which the Reminiscent was instructed to prepare, had been executed, the expense of necessary stamps would have been ninety millions, seven hundred and twenty-two thousand pounds. Ten persons, each of whom was possessed of landed property, having engaged in a mining adventure, a deed of partnership was to be prepared, which was to contain a stipulation that if any one or more of the intended partners should advance money to any other or others of them, the money lent should be a charge in the nature of a mortgage upon the share or respective shares of the borrower, or respective borrowers, and over each or all subsequent charges; and, therefore, the charges were to be considered as mortgages actually made by the deed.

Thus in the contemplation of equity, the estate was actually to be subjected by the deed to as many possible mortgages as there can be combinations of the number 10. Each of these possible mortgages being for an indefinite sum, would require the 25*l.* stamp.

$$25 \times 2 \times 3 \times 4 \times 5 \times 6 \times 7 \times 8 \times 9 \times 10 = 90{,}720{,}000.$$

A BAILIFF.—

Come on, my trusty follower, come on;
This day discharge thy duty, and at night
A double mug of beer shall glad thee.
Stand here by me, this way must Noodle pass.

Follow.: No more, no more, oh bailiff! every word
Inspires my soul with virtue. Oh! I long
To meet the enemy in the street—and nab him;
To lay arresting hands upon his neck
And drag him trembling to the sponging-house.

Bail.: There, when I have him, I will sponge upon him.
Oh! glorious thought! by the sun, moon, and stars,
I will enjoy it, though it be in thought!
Yes, yes, my follower, I will enjoy it.

Follow.: Enjoy it then some other time, for now
Other prey approaches.

Bail.: Let us retire.

MORTALITY'S MEMORANDUM.—Lord Chancellor Egerton, coming down the stairs at York House, to go to Westminster Hall in the Term time, observed to be written upon the wall, belike by some one or other that feared oppression by some

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mighty adversary, these three words, tanquam non reversurus, as though he should never return again, hinting thereby unto his lordship, to do—well—justice.

FAIR DORINDA.—

Oh, Mr. Constable,
Drunken rascal,
Would I had thee at the "Rose"
May'st thou be beaten,
Hang'd up and eaten,
Eaten by the carrion crows.

THE STUDY OF BOOKSELLING.—Is as difficult as the chicaneries of the law, and there are as many tricks in the one as the other. Sometimes we give a foreign name to our own labours, and sometimes we put our names to the labours of others. Then as the lawyers have "John-a-Nokes" and "Tom-a-Stiles," so we have Messieurs Moore near St. Paul's, and Smith near the Royal Exchange.—*Fielding.*

A MAGISTRATE'S DILEMMA.—A practitioner of the law observed that no warrant had been granted, nor any information sworn ; consequently, as the justice had not complied with the form of proceeding directed by statute, the imprisonment was coram non judice, void. Right, sir, said another lawyer ; if a justice commits a felon for trial, without binding over the prosecutor to the assizes, he shall be fined. And again, if a justice issues a warrant for commitment, where there is no accusation, action will lie against that justice. Moreover, if a justice is guilty of any misdemeanour in his office, information lies against him in banco regis, where he shall be punished by fine and imprisonment. And again, the same court will grant an information against a Justice of Peace, on motion, for sending even a servant to the house of correction, or common jail, without sufficient cause. True, exclaimed another advocate. And for contempt of law, attachment may be had against Justices of the Peace in regis banco.

ANGELS.—The name of a coin varying in value from six shillings and eightpence to ten shillings. It was introduced by Henry VI.

My lawyer said the case was plaine for mee,
The angell told him so hee tooke for fee :
But yet my angell and my lawyer lyed,
For at my judgment I was damnified.

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OXFORD.—The keeper of this gaol, having in his custody one Alice de Droys, condemned for felony, and reprieved for pregnancy, suffered her to go abroad under the guard of a servant. She making her escape, the master was saved by benefit of clergy, but the servant was hanged.

HIGH-SOUNDING TITLES.—Are found inscribed on Greek coins which are occasionally very significant, such as those of the Ephesians, and others, denoting that they held the office with a high-sounding name, NEOKOPOΣ, which, literally construed, means temple-sweepers, a post which, in the simpler state of a previous period, had virtually been performed by the individual holder, but which the collective luxury of Ephesus accepted as an empty honour, just as in some of the aristocratic parishes of western London, two titled personages hold the office of churchwarden, while the two sub-officers, termed sidesmen, perform all the duties of the office.

ISSUE OF BASE METAL.—Severe laws against forgers existed in Solon's time, but whether they were more ferocious than the English laws is open to doubt. Human ingenuity is so great that scarcely had the art of coinage been developed than the labours of forgers commenced. There are ancient forgeries existing even of the early coins of Ægina; Herodotus mentions forgeries of coin as a common offence; there are existing forgeries of the early Lydian gold. Roman forgers were less skilled than the Greeks and most of the forged money is merely cast. Of modern forgers, those of Padua are the most celebrated, but long before that time the trade had commenced. Guilleaume du Choul and Antoine le Pois were no mean adepts, but they were both artists. The most skilful of modern forgers were Jean Cavino and Alexander Bassiano, whose productions are generally described as the Paduan forgeries. Michael Dervieu, a Frenchman, successfully forged coin at Florence; his especial department was Roman copper, and he found the manufacture a profitable trade. Carteron, in Holland, produced beautiful forgeries. Congornier forged in Lyons, but most of his works were pure inventions. Laroch made copies of the Pellerin Cabinet. Stuttgart had its workshops, and Venice her ateliers, where denarii and quinarii of the Roman Emperors and Empresses were fabricated by the thousand. Becker, who died at Hamburg in 1830, issued a vast number of false coins. Even within the last few years the lynx-eyed London Jew pawnbrokers have been imposed upon.

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A MAN HANGED UPON HIS OWN ACCUSATION.—At a summer assize at Hertford, while the judge was sitting on the bench, comes in an old man, by name Tod, and spake aloud as follows: "My lord, here is the veriest rogue that breathes upon the face of the earth; I have been a thief from a child." The judge thought the fellow was mad; but after some conference with some of the justices, they agreed to indict him, and so they did, of several felonious actions, to all of which he heartily confessed guilty, and so was hanged with his wife at the same time.—*Bunyan*, vol. 2, p. 737.

FLEET MARRIAGES.—It was the custom of the tavern-keepers within the Fleet to keep a parson on their establishments at a weekly salary of twenty shillings. These ecclesiastical worthies kept their own registers, in which they entered the weddings. At one time these marriages were in accordance with English jurisprudence.

BY-LAW.—The Gothic By is equivalent to the ancient British word Ton. Hence the law of the town is called Bylag, or Bylaw; an expression of such remote antiquity that it is found applied by Jornandes to the laws of Dicmeus.

FRENCH.—The reading of French, with the French pronunciation, was a finable offence in the Inns of Court.

TAUTOLOGY.—I hope, says the lawyer, to see the day when the indenture shall be the exact measure of the land that passes by it, for it is a discouragement to the gown that every ignorant rogue of an heir should, in a word or two, understand his father's meaning, and hold ten acres of land by half an acre of parchment. Let others think of logic, rhetoric, and I know not what impertinence, but mind thou, tautology. What's the first excellence in a lawyer? Tautology.—What's the second? Tautology.—What's the third? Tautology; as an old pleader said of action.

CHINESE JUSTICE.—The Chinese judges, to deter the people from committing crimes, used to put the body of the party killed or murdered in a coffin, in the house of the murderer, till he compounded with the friends.—*Gemelli Careri.*

DEBTORS.—Are incapable of estimating the eloquence of the legal fiction, and the manner in which it reconciles that duress which, for the protection of commerce, it has been

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found necessary to extend towards refractory debtors with the most scrupulous attention to the liberty of the subject.—*The Antiquary.*

LORD BROUGHAM ON JURIES.—That man was guilty of no error—he was a party to no exaggeration—he was led by his fancy into no extravagance—who had said that all they saw about them, Lords and Commons, the whole machinery of state, was designed to bring twelve men into the witness-box to decide on questions connected with liberty and law.—*The Times, 8th Feb.*, 1828.

MUNICIPAL PRIVILEGES.—In the charter to the Burgess of Leeds, granted by their "Mesne" Lord, Maurice Paganel, the burgess who is impleaded of larceny was to be judged by the burgesses, with the help of the Lord's servant, he making one compurgation for the first offence with thirty-six compurgators. But if he were impleaded a second time, he was then to purge himself, either by the water ordeal, or by single combat.

A TRUISM.—

Temperance the best physic,
Patience the best law,
And a good conscience the best divinity.

ECCLESIASTICAL COURTS.—A Quaker was looking at the great painted window in Exeter Cathedral, and his companion observed that St. Peter looked very fierce there. "How can he help it, friend," replied the Quaker, "when he observes what scandalous work is carried on in the Ecclesiastical Court opposite."

MONUMENTS.—In England the law offers protection to monuments, the builders having their remedy at common law for an injury that may be done them, and the heir of the deceased can institute a prosecution against such offences.

A SIMILE.—Law is a good, rising profession; for a man may by that, which I neither envy nor tax, run up, like Jonah's gourd, to preferment; and for wealth, a cluster of law is worth a whole vintage of gospel.

BANDS.—Are a relic of the wide collars which formed a part of the ordinary dress in the reign of Henry VIII., and which were especially conspicuous in the reign of the Stuarts. In the showy days of Charles II. the plain bands were changed to lace ends. The eighth Henry, as I under-

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stand, was the first prince that ever wore a band. The judges wore point bands.

THE COMPLAINT OF ALL AGES.—Leges esse telas aranearum, vel quia mucas capiunt, et vespas dimittunt.

BURLAW.—Or Byrlaw, a sort of lynch law in the rural districts of Scotland. The inhabitants of a district used to make certain laws for their own observance, and appoint one of their neighbours, called the Burlaw-man, to carry out the pains and penalties. The word is derived from the Dutch Baur, a boor.

PRECEPT TO THE SHERIFFS.—The young king Henry III. at Oxford, March 30th (1208), commanded the sheriff of this and other counties to take care that all Jews within their respective liberties should bear upon their upper garments whenever they went abroad, a badge of two white tablets on their breast, made of linen cloth, or parchment, that by this token they might be distinguished from Christians.

PRECEDENTS.—Without seeking precedents in the Doom-books of Alfred, or of Ina, the spirit of Saxon legislation may often afford a salutary lesson, both for the exposition and renovation of our modern laws.

THE ROMAN CHURCH.—All through the history of England, strove to suppress absurd trials, such as the water ordeal, and others of a similar kind, but in vain, as they were always solemnly sanctioned with clauses of palpable injustice by English legislature.

CIRCUIT COURT OF JUSTICIARY OF SELKIRK.—At the last court supposed to have been held, when the judge was about to pronounce sentence, the prisoner arose, and, being a man of great strength, broke asunder one of the benches, and seizing on a fragment, was about to fight his way out of the court-house; but his companions in misfortune, for several persons had been convicted along with him, held his hands, and implored him to let them die like Christians; and both he and they, agreeable to their decorous desire, had full honours of rope and gallows.

BARRATORS.—(Lat. Barractator; Fr. Barrateur; old French, barat.) A common mover of suits and quarrels either in courts, or elsewhere in the country, that is himself never quiet, but at variance with one or other. Lambert derives the word barrator from the Latin balatro, a vile knave; but the

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proper derivation is from the French barrateur, i.e. a deceiver, and this agrees with the description of a common barrator in my Lord Coke's Reports, viz. that he is "Communis malefactor, calumniator et seminator litium, et discordiarum inter vicinos suos, et pacis Regis perturbator," &c. Barrators were punished by fine and imprisonment; but belonging to the profession of the law, they ought to have been further punished by disability to practise.

'Tis arrant barratory that bears
Point-blank action against our laws.
Hudibras.

FALSE OATHS.—Taylor, the water-poet, says "that some do make a trade of swearing;" as a fellow being asked of what occupation he was, made answer he was a "vitness," meaning one that for hire would swear any man's cause, wright or wrong.

The bus'ness to the law's all one.
Hudibras.

The charge is prepared, the lawyers are met,
The judges are ranged, a terrible show.
Beggars' Opera.

BIDEFORD.—Dr. John Shelbere, author of a work called "The Practice of Physic," for thus writing was condemned to stand in the pillory. He was not put in the pillory according to his sentence, but stood on it, attended by a servant in livery, who held an umbrella over his head. The sheriff was prosecuted for not enforcing the punishment.

EXECUTION OF ELIZABETH GAVINT.—All circumstances considered, is the most dreadful act of wickedness, the foulest murder that ever was committed under the form of English law. Her speech which she delivered at the stake is here: "And now as concerning my crime. Alas, it was but a little one, and might become a prince to forgive. But he that shows no mercy, shall find none. I did but relieve an unworthy, poor, distressed family, and lo! I must die for it."—*Titus Oates and Ecclesiastical History* (*Crosby*).

THE MIDDLE AGES.—All through the Middle Ages, the lawyer who avowedly was a priest held his own against the lawyer who professed to be a layman.

PLEADING.—The great advantage or disadvantage that may be given to a cause, in the pleading, by the artificial

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insinuations of a powerful orator. That same flexanimis pitho, suadæ madulla, as the ancients term it, is a most powerful medium for justice or injustice in a court of law.

TAXES.—Lord's tax on beer brewed for sale, younglings that were sold, and pigs when killed. Also if any braciatrix, braciaverit, cereviciano, ale-wife, brew ale to sell, she must satisfy the lord for tollster. If any native or cottager sold a male youngling after it was weaned, he was to give four pence to the lord. If any native or cottager having a swine above a year old, should kill him, he was to give the lord one penny, and it was called Thisteleak.

LANDLORDS.—Through the aid of the law, are serpents to devour the poor, but what are they that devour those serpents? Dragons. You see, then, what monsters usurious citizens are. Thus while the gentleman and the citizen shuffle the cards together, they deal the poor commons but a very ill game.—*The Devil's Banquet*, p. 24.

LORD LOUGHBOROUGH.—

To mischief train'd e'en from his mother's womb ;
Grown old in fraud, though yet in manhood's bloom ;
Adopting arts by which gay villains rise,
And reach the heights which honest men despise ;
Mute at the bar, and in the senate loud,
Dull among the dullest, proudest of the proud ;
A pert, prim prater of the northern race,
Guilt in his heart, and famine in his face,
Stept forth——.

Churchill.

STAR CHAMBER.—A defendant sentenced in the Star Chamber for beating his grandfather, to be whipt before the picture of his grandfather, he being unable to come to the place where it was to be executed. Owen was the culprit's name.—*36th Elizabeth.*

BRIBERY.—

One here bewayles his wofull case
And wisheth him vnborne,
Another cryes with wringing handes,
Alas, I am forlorne ;
My sute thus long depended hath :
The Lawe is on my syde,
And yet in harde delayes I lye,
True Iudgment to abyde.

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Another thus befriended is,
The Iudge doth loue him well,
And me (as poore and needie) they
Doo dayley thus depell.
Two hundreth myles and more I come,
My wife at home (alas),
Lyes with my children halfe forepynde,
(O lamentable case).
My goods are spent, which labor brought,
Through long and careful toyle:
The Lawe hath lyckt vp all my wealth,
For which I dyd turmoyle.

Newes out of Powles, Sat. II.

STEEPLE OF BOW.—In the yeere 1271, a great part of the steeple fell downe, and slew many people, men and women. In the yeere 1284, the thirteenth of Edward the First, Laurence Ducket, goldsmith, having grievously wounded one Ralph Crepin in West Cheape, fled into Bow Church, into which, in the night time, entered certaine evill persons, friends unto the say'd Ralph, and then hanged him up, placing him so by the window, as if hee had hanged himselfe, and so it was found by inquisition. For the which fact, Laurence Ducket being drawne by the feete, was buried in a ditch without the city. But shortly after, by relation of a boy, who lay with the say'd Laurence at the time of his death, and had him there for feare, the truth of the matter was disclosed. For the which cause, Iordan Good Cheape, Ralph Crepin, Gilbert Clarke, and Geffrey Clark were attainted, and a certaine woman named Alice, that was chiefe causer of the sayd mischiefe, was burned, and to the number of sixteene men were drawne and hanged; besides others, that being richer, after long imprisonment, were fined. The church was interdicted, the doores and windowes were stopped up with thornes; but Laurence was taken up, and honestly buried in the churchyard.

THE POLE GROAT.—Called by some the groape grote, was the cause of the Kentish men rising in tumult under Tyler, originating from the insults offered to the women by the officers collecting the tax. "They tooke in hand to behead all men of law, apprentices, utter Baristers, and old justices, with all the jurors of the country; they spared none whom they found to have a pen and inke horn about him; they pulled off his hood, and all with one voice cryed, 'Hale him out, and cut off his head.'"

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CHARTERS.—Even after they were introduced, some visible token was frequently added in perpetuam rei memoriam. A gold ring was placed in the wax, or a dagger or bugle-horn, or some other personal appendage was offered at the altar.

THE MORTGAGE.—

"Dear Furies, you may rest assured,
My country-house is well secured."
"How? With good timber, stone, and plaster,
From wind, and rain, and all disaster?"
"Ah, no! but by a certain skin,
Which is encased in painted tin,
It is secured for 'money lent,'
To a curst son of Ten-per-Cent."—

T. Marton.

THE SHEET.—Standing in a sheet was a customary mode of punishment for a certain sin.

Thou perhaps dost think,
Because thy law-perverting cursèd chink
Hath freed thee from the standing in a sheet,
A punishment for thy offence most meet,
That there remains no more? Yes, imp of hell,
There is a Judge, which in the heavens doth dwell,
An uncorrupted judge, that will award
Damnation for thy sin, unless regard
Of that unhappy state wherein thou art
Softening, I fear, thy unrelenting heart,
Show thee thy soul's deformity, and in
Repentance-fountain make thee purge thy sin.

LORD BROUGHAM.—Was not at first a very successful lawyer. It was he who said, circumstances alter cases, but I wish I could get hold of some cases that would alter my circumstances.

JAILS AND WHIPPING-POSTS.—

In London and within a mile I ween,
There are of jails and prisons full eighteen,
And sixty whipping-posts, and stocks and cages.

W. P. Taylor.

One of these was Lord Wentworth's, in Whitechapel, and the one called New Prison was "a jail for heretics, for Brownists, familists, and schismaticks."

WEARING OF THE PLAID.—In the streets by women was forbidden in 1630 in Scotland, under pain of corporal punish-

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ment. The Scottish plaid being used to cover the face, it was supposed by the authorities to afford protection to immodest conduct. On the 22nd of October, 1648, the Kirk Session of Dunfermline ordered that a certain Janet Robertson "shall be cartit and scourged through the town, and markit with a hot iron."

A WOMAN'S REPLY.—A woman who was called as a witness in an assault case, tried in the Edinburgh Court, on being asked by the magistrate what was the profession of her husband, answered very promptly, "My husband is a bankrupt, sir."

BILL AGAINST SPIRITUOUS LIQUORS.—When this enactment passed, to evade its penalties the brandy-shops in High Holborn, St. Giles, Tothill Street, Rosemary Lane, Shore-Ditch, the Mint, Kent Street, &c., sold drams, under the names of Sangree, Tow-row, Cuckold's Comfort, Parliament Gin, Makeshift, the Last Shift, the Ladies' Delight, the Balk, King Theodore of Corsica, Cholic, Gripe Waters."—*London Magazine.*

AGISTORS.—There were four for the forest of Bernwood, whose office obliged them to care take of the feeding of hogs within the king's demesne woods, from Holyrood day to forty days after Michaelmas; and to take pannage, which was one farthing for the agistment of each hog.

IN PUBLIUM.—

Publius, a student at the common law,
Oft leaves his books, and for his recreation,
To Paris Garden doth himself withdraw;
Where he is ravish'd with such delectation,
As down among the dogs and bears he goes;
Where, whilst he skipping cries, "To head, to head!'
His satin doublet and his velvet hose
Are all with spittle from above bespread;
Then is he like his father's country hall,
Stinking of dogs, and mated all with hawks;
And rightly to on him this filth doth fall,
Which for such filthy sports his books forsakes,
Leaving Old Plowden, Dyer, and Brooke alone,
To see old Harry Hunkes and Sacarson.

Paris Garden.—The Bear Garden on the Bankside, Southwalk.

Harry Hunkes and *Sacarson* were two bears at Paris Garden—the latter was the more famous, and is mentioned

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by Shakespeare in "The Merry Wives of Windsor" (*Act.* i. *Sc.* 1), "I have seen Sackerson loose, twenty times."

LEGISLATORS.—Those that make them, should not break them.—

> Patere legem quam ipse tulisti,
> In commune jubes si quid censesve tenendum,
> Primus jussa subi, tunc observantior æqui.
> Fit populas, nec ferre vetat cum viderit ipsum
> Autorem parere sibi.
>
> *Claudian.*

TREASON.—A madman was fined 5000*l.* for accusing Justice Hutton of treason.

TAXATION.—At Henley-on-Thames, a woman speaking against the taxation imposed by Parliament, was by the Committee then ordered "to have her tongue fastened by a nail to the body of a tree, by the highwayside, on a market-day; which was accordingly done, and a paper in great letters," setting forth the heinousness of her fault, fixed to her back.—*Clarendon's Papers*, vol. 2, app. xxxvi.

THE LANGUAGE OF LAWYERS.—Has always been a subject of satire, not only the barbarous tongue in which the law is written, but also the pedantry of many lawyers who use its rude and discordant terms, even in familiar and social intercourse.

> I have been
> In love ever since triesimo of the Queen;
> Continual claims I have made, injunctions got
> To stay my rival's suit, that he should not
> Proceed, but spare me; in Hilary term I went.
> You said, if I returned next size in Lent,
> I should be in remitter of your grace:
> In th' interim my letters should take place
> Of affidavits.

THE HIGH COURT OF JUSTICE.—Was formerly called Cromwell's new slaughter-house.

TURNPIKES.—Are like laws, only made to stop people who walk on foot, and not to interrupt those who drive through them in their coaches. Laws are also like a game at loo, where a blaze of court cards is always secure, and the knaves are the safest cards in the pack.

SOLILOQUY.—Luckless man that I am, soliloquized the man of law, to be the sport of hurricanes all my life—to be born to have the storm of ill language levelled against

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me and my profession wherever I go—to be forced by the thunder of the Church to a tempest of a woman—to be driven forth out of my house by domestic winds, and despoil'd of my castor by pontific ones—to be here bare-headed, in a windy night, at the mercy of the ebbs and flows of accidents —where am I to lay my head? Miserable man! What wind in the thirty-two points of the whole compass can blow unto thee, as it does to the rest of thy fellow-creatures?

FREEBORN JOHN.—So called from his undismayed spirit. His proper name was Lilburne, a poor tradesman of a good family and pregnant apprehension, who, for the sake of the law, was taken into the service of Mr. Prynn; however, this did not protect him for he was severely whipped and set in the pillory.

WAPPING.—Pirates were commonly executed at Wapping. "I have seene many of these prowling fishermen end their lives like swans in a manner singing, and sometimes making their wills at Wapping, or looking through a hempen window at St. Thomas Waterings.

"By Wapping, where as hang'd drown'd pirats dye."

"Thus much I mildly write in hope 'twill mend thee;
If not, the Thames or Wapping shore will end thee."

In Henry the VIII.'s time a place called the "Willows" was used for this amusement: "And this yere was hongyd at 'The Wyllow,' by the Temse-syde, Woolfe and hys wyffe, for kyllynge of two lumberrttes in a bote on the Temse."—*Greyfriars Cron.* p. 37.

DEBTORS' LAWS.—The fraud, impoverishment, and desolation resulting from their administration were almost incredible. In the processes issued against the person, lawyers and attorneys are the parties who chiefly profit. From returns of affidavits of debts, it appears, in two years and a half, 70,000 persons were arrested in and about London, the law expenses of which could not be less than half a million; in the metropolis and two adjoining counties, 23,515 warrants to arrest were granted, and 11,317 bailable processes executed. Thus were eleven thousand persons deprived of their liberty on the mere declarations of others, before any proof or trial that they owed a farthing. So gainful was the trade to attornies, that they frequently bought up small bills for the purpose of suing the endorsers, and brought nine or ten actions on each. One house alone brought five hundred actions in this

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way, and most of them for sums under 20*l.*—*Parliamentary Papers.*

THE CLIENT.—

The crouching client, with low-bended knee,
And many worships, and fair flattery,
Tells on his tale as smoothly as him list,
But still the lawyers eye squints on his fist.;
If that seem lined with a larger fee,
Doubt not the suit, the law is plain for thee.

SIR WALTER RAWLIEGH AT HIS EXECUTION—.

Great heart, who taught thee so to dye?
Death yielding thee the victory,
Where took'st thou leave of life? if there,
How could'st thou be so freed from fear?
But sure thou dyest and quit'st the state
Of flesh and blood before the fate.
Else what a miracle were wrought.
To triumph both in flesh and thought,
I saw in every stander by,
Pale death, life onely in thine eye;
Th' example that thou left'st was then,
We look for when thou dy'st again.
Farewell, truth shall thy story say,
We dy'd, thou onely livd'st that day.

CAPITAL PUNISHMENT.—Benoit was carried up to the platform, being unable to walk through terror; he was insensible while the assistants strapped him to the plank, and never had such abject cowardice been exhibited since the execution of Madame Dubarry. This man showed the greatest dread of death; he was not twenty-one, and had already committed two murders, one his own mother, the other his most intimate friend. The knowledge of capital punishment did not deter him. Fear of death is a physical sentiment linked with the instinct of conservation; when a man is ill, or in great peril, then he fears death, and if that man be a ruffian the temptation of crime will get the better of whatever lurking apprehension he may have.

DEFINITIONS.—The lawyer terms marriage a legal contract; the doctor, an inverted fever, which begins with heat and ends with cold; the merchant, a speculation, as often unlucky as not; the poet, a romance, which passes through several editions; the soldier, a campaign, which sometimes extends to a seven years', and sometimes to a thirty years' war.

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Mare haud mare, vos mare acerrimum.

Plautus.

An Irish sea is not so turbulent and raging as a litigious woman.

For marriage is a matter of more worth
Than to be dealt with in attorneyship.

Shakespeare.

A BYLL.—The paper on which a suit or petition to the Crown or a great personage was generally so called. Heywood represents Jane Shore, after her elevation, as looking on the bills of those who came to seek her intercession with the king.

Rafford: Mistress, I fear you have forgot my suit.
Jane: Oh! 'tis for a licence to transport corn
From this land and lead to foreign parts.
I had your bill; but I have torn your bill:
And 'twere no shame, I think, to tear your ears.

Edward IV. Part I. Act v. *Sc.* 4.

EXCHEQUER.—A table in which squares of two different colours were arranged in alternate order; an excellent sort of table for several amusing games, a very indifferent one for arithmetical calculations. Before the introduction of the Arabian arithmetic, it was in general use for that purpose. Having now, for several ages, ceased to be employed as an instrument, it is still seen serving as a sign in public-houses. Exchequer causes meant revenue causes.

DEFINITION OF A FEE.—Money or money's worth received at the expense of the suitors in a cause, all or any of them, on the occasion of a mass of writing, written or supposed to be written, or other act done, or supposed to be done, in the course or on the occasion of it.

SIGNS IN FLEET STREET.—

A country ruddy-faced attorney
Just lighted from his dusty journey,
In stubborn coat of drab-de-berry,
And wrinkled boots all over miry;
A huge long sword with which he vapours,
In's hand a wallet stuff'd with papers
To some old inn of Chancery trudging,
In which he keeps a dusty lodging,
Lock'd closely up from term to term,
Where fleas instead of clients swarm,

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And cobwebs, emblems of his trade,
Hang, full of prisoners, o'er his head.

SKULLS ON TEMPLE BAR.—I have been this morning at the Tower, and passed under the new heads at Temple Bar, where people make a trade of letting spying-glasses, at a halfpenny a look.—*H. Walpole.*

A REJOINDER.—Cicero having cited into court as an evidence, P. Cotta, who wished to be thought a great lawyer, though he was extremely ignorant on that point; and Cotta having declared he knew nothing of the matter in question; "You know nothing of the matter, do you?" replied Cicero. "I suppose you think we are debating a question of law."—*Macrob. Saturnal.* lib. ii. cap. 3.

FOLLIES OF MANKIND.—Philosophers laugh at them, lawyers make an advantage of them and players ridicule them.

GEORGE III. (1777).—A girl was very nearly burnt alive as an accomplice with her master, for coining. A mere accident saved her from this awful death.

CONFUSION.—Lawyers love it. Lawyers grow rich on it. Non-lawyers, born and bred with the yoke of the lawyer about their necks, if haply they have the wish, have not the power, to remedy it.

SWORDS.—The lawyer's clerk when he puts on a sword, to go with a challenge from his master, says, "Come down, little tickle-pitcher." Some people may think me very conceited, now, but as the dirtiest blacklegs in town can wear one without being stared at, why should not I?—*School for Wives.*

TRIUMPHAL LAWS.—Such as the fancies of Appian of Alexandria, and Onuphrius Panvinius have thought fit to compile, never existed.

LORD COKE.—Inaccurate, as he was garrulous, was ready at any time to entertain the public with the first runnings of his mind.

A LAWYER'S JOCULARITY.—A countryman comming up to the Tearme, by misfortune lost his purse; and because the summe was great he set up billes in divers places of London, that if any man found such a purse, and would restore it againe, he should hawe very well for his paynes.

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A lawyer of the Inner Temple wrote under one of his billes that hee should come to his chamber, and did write where. So, when hee came to the place, the lawyer asked him, first, what was in his purse ; secondly, what countryman he was ; and, thirdly, what was his name. "Sir," quothe he, "twenty pound was in my purse ; I'm halfe a Welshman ; and John V. P. Janken is my name." "John V. P. Janken," quothe the lawyer, "I am glad I know thy name, for, so long as I live, thou, nor none of thy name, shall have my purse to keepe." And, so farewell, gentle John V. P. Janken.

JURISPRUDENTIAL LAW.—Is law made by lawyers for the benefit of lawyers. Statute law is law made by the guardians of the people, for the benefit of the people.

AN EXPERIMENT.—Was made upon a convict named Patrick Redmond, who was hanged for a street robbery, on the 24th of February, 1767, in order to bring him to life. It appears that the sufferer had hanged twenty-eight minutes, when the mob rescued the body, and carried it to an appointed place, where a surgeon was in attendance to try the experiment of bronchotomy, which is an incision in the windpipe, and which, in less than six hours, produced the desired effect. A collection was made for the poor fellow, and interest made to obtain his pardon. But it will be remembered that the law says the condemned shall hang until he is dead, consequently men like Redmond, who recovered, are liable to be again hanged up until they are dead.

ELY SESSIONS.—Within a very few years there was only one barrister practising at the Ely Sessions, and he used to argue both sides.

AN AVERSION.—Foote had an especial one against attornies. One of this profession, certainly not remarkable for the integrity of his character, having a dispute with a bailiff, brought an action against him, which Foote recommended to be compromised. The parties agreed to it, but differed as to who should be arbitrator, and at last they requested Foote to act in that capacity. "Oh, no!" said Foote, "I might be partial to one or other of you, but I tell you what, I'll do better—I'll recommend a thief, as a common friend to both."

MORTMAIN.—The statute (7 *Edw. I.*), as it put a stop to the multiplying of monasteries, so it made way for the introducing of the Mendicant orders.

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JURISPRUDENCE.—In ancient Rome, the great and powerful judge, called the Prætor, at the commencement of his prætorship, used to hang up for the information of his suitors in a conspicuous situation in some public place, a table of the rules by which he proposed to govern himself during the year.

SHAM BAIL.—The defendant used to pay to an attorney, who paid an officer of the court for making, in one of the books of the court, an entry, importing that on such a day two persons bound themselves to stand as sureties for the defendant; undertaking, in the event of his losing his cause, and being ordered to comply with the plaintiff's pecuniary demand, either to pay the money for the defendant, or to render his body up to prison. No such engagement of course had been made by anybody. The persons spoken of as having made it were not real, but imaginary persons; a pair of names always the same, John Doe and Richard Roe. This operation English lawyers, heaping fiction upon fiction, formerly called an appearance.

NEOLOGY.—Is a sort of cant, never used but to a bad purpose, incapable of being ever applied to a good one. By the omission of this paronomasia, the reader, the non-lawyer at least, is no more left at a loss than he is by the omission of that sort of flash language called the thieves' cant or slang, the language in use among unlicensed depredators.

LORD THURLOW.—When Lord Thurlow's patent of Peerage was being registered, the herald inquired the name of his lordship's mother. "I don't know," replied the Chancellor in his usual gruff tone.

SIR WILLIAM NOY.—Thought that he could not give a clearer testimony that his knowledge in the law was greater than all other men's, than by making that law which all other men believe not to be so.

FULL DRESS.—This sort of mockery seems to have been usual; Mrs. Turner, to wit, and the priest at Exeter, in the rebellion of the peasantry, were both executed in this costume.

THE GOOD OLD TIMES.—Were when the fate of Englishmen were disposed of in French, and in something that was called Latin. For having once been in use, language, however, is not much the worse, so it be of use no longer. The antiquated notion of time suffices to throw a veil of mystery over the system of procedure. Martin and Hilary, saints

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forgotten by devotees, are still of use to lawyers. How many a man has been ruined because his lawyer made a mistake, designed or undesigned, in reckoning by the almanack. First of January, second of January, and so forth? Not a child of four years old that does not understand it—octaves, quindecims, and morrows of All Souls, St. Martin, St. Hilary, the Purification, Easter day, the Ascension, and the Holy Trinity; Essoign day, day of Exception, Retorna Brevium day, day of appearance, *alias* Dies amoris; there you have science. Terms—Michaelmas, Hilary, Easter, and Trinity, each of them about thirty days, no one of them more than one day; there you have not only a science, but a mystery; do as the devils do, believe and tremble.

PAGANISM.—The whole system of pantheism was an essential part of the legislature, and instituted by the ancient law-makers for their own support and benefit. Were ancient laws always designed for the benefit of the people, and never for the private interest of the law-giver?—*Gibbon.*

A MODERN MAGISTRATE.—The next prisoner who preferred his complaint was a poacher, at whose practices Justice Gobble had for some years connived, so as even to screen him from punishment, in consideration of being supplied with some game gratis, till at length he was disappointed by an accident. His lady had invited guests to the house, and bespoke a hare, which the poacher undertook to furnish. He laid his snares accordingly over-night; but they were discovered, and taken away by the gamekeeper of the gentleman to whom the ground belonged. All the excuses the poacher could make proved ineffectual in appeasing the resentment of the justice and his wife at thus being disconcerted. Measures were taken to detect the delinquent in the exercise of his illicit occupation; he was committed to safe custody, and his wife and five bantlings were passed to her husband's settlement in a different part of the world.—*Sir Launcelot Greaves.*

SIR WILLIAM BLACKSTONE.—Put into your son's hands the Commentaries of Blackstone. Send him to attend the Courts at Westminster. For learning jurisprudence, yes, but for cherishing in his mind the principles of veracity, of sincerity, of true honour, and stay until you have made your daughter get by heart the works of Piron and Lord Rochester.

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ENGLAND AND FRANCE.—England had once its Court of Star Chamber. France its Court of the Marble Table. Explain the business of a Court of Equity by a definition of equity. As well might you explain the business of the Star Chamber by the definition of a star, or business of the Cour de la Table de Marbre by the definition of marble.

ASSASSINATION OF JAMES I. OF SCOTLAND.—The chief conspirators were made spectacles of public justice, by lingering and exquisite tortures. The punishment of Athol was continued three days. After having been on the first day so often hoisted and lowered by a rope, that all his bones were disjointed, he was, on the second day, crowned with a diadem of red-hot iron in order to ridicule a prophecy relating to his wearing a crown, and on the third day he was executed as a traitor. Stewart was only hanged and quartered; but Grahame, looked on as the worst of the three, was tortured with all the diabolical ingenuity of the law. The horror conceived at the atrocity of this last assassin gave birth to a proverb, of which the loyalty is more conspicuous than the poetry.

Robert Grahame
That slew our king,
God give him shame.

Then Hell hath cheated thee, thou shalt be crown'd—
An iron crown, intensely hot, shall gird
Thy hoary temples, while a shouting crowd
Acclaims the king of traitors.

PLOW-LAND.—Most legal measures of the country have been taken from the plough, as long as any memorials of those things are extant; for a Manse, or Hide with the Saxons, or Carucage with the Normans, are of the same signification, which is what we call a Plough Land.

LORD ERSKINE.—Whose irritable constitution subjected him at times to the attacks of hypochondria, complained in the Court of King's Bench, "that he had a severe pain in his bowels, and he had tried remedy after remedy without obtaining relief." "A pain in your bowels!" exclaimed Jekyll, "a pain in your bowels—get yourself made Attorney-General, Erskine, and then you will have no bowels at all!"

CHANCERY.—There never was such an infernal cauldron as that Chancery on the face of the earth! Nothing but a mine below it on a busy day in term time, with all its records,

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rules, and precedents collected in it, and every functionary belonging to it also, high and low, upward and downward, from its son, the Accountant-General, to its father the Devil, and the whole blown to atoms with ten thousand hundredweight of gunpowder, would reform it in the least.—*Bleak House.*

ENGLISH LAWYERS.—Adding to the load of Roman special pleading, moulded to their own purposes, a heap of fiction of their own growth, have worked up a mass of verbiage and tautology, such as the whole army of continental advocates may look upon with envy and despair.

ROMAN ORDINATIONS.—Contain rules which are plainly religious or ritualistic. "Thou shalt not square a funeral pile with an adze." "Let not women tear their cheeks at a funeral." "Thou shalt not put gold on a corpse."—*Cicero De Legibus*, 2, 25, 64.

IRISH LAW.—Its great peculiarity is the extraordinary prominence it gives to procedure. The principal Irish law-book, pretending to be a code, and claiming to have been framed when Theodosius was monarch of the world, is almost wholly taken up with the law of distress.

TOTTED.—A word formerly used in the Exchequer, borrowed from the Latin Tot. C'est un mot dont on se sert à l'Echiquer, une bonne dette due au roi.

FINCH.—Too many laws are a snare, too few are a weakness in the Government; too gentle are seldom obeyed, too severe are as seldom executed; and sanguinary laws are, for the most part, either the cause or the effect of a distemper in the state.

THE TWELVE TABLES.—The fragments of these laws were collected by Lipsius, Sylburgius, and others, and bear the stamp of the most remote antiquity. Lipsius himself was highly delighted with these antiquissima verba; but what is much more decisive, Horace (L. ii., Ep. 1. v. 23.), Seneca (Epistol. 114), and Aulus Gellius (xx. 1), rank those laws amongst the oldest remains of the Latin tongue. Their obsolete language was admired by the lawyers, ridiculed by the wits, and pleaded by the friends of antiquity as an excuse for the frequent obscurities of the code.

WIVES.—It should be enacted, "that all the nobility and

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gentry, who have no important business or employment, should be compelled by a law to live in the country, and though many say their wives draw them to town, yet laws will rule their wives, though their husbands cannot."—*Sir James Perrott.*

LANDED PROPERTY.—"No man," said a wealthy, but weak-headed barrister, "should be admitted to the Bar who had not an independent landed property." "May I ask, sir," said Mr. Curran, "how many acres make a wise-acre?"

BIGOTRY.—Every nation, every society seems possessed with a sort of bigotry for their particular laws, and are apt to entertain insuperable prejudices against all legal institutions but their own.

SIR MATTHEW HALE.—Was, both at the bar and on the bench, a great enemy to all eloquence or rhetoric in pleading.

GAME LAWS DERIVED FROM NOAH.—From the authority given to Noah over every beast of the earth and every fowl of the air. Sur ce privilege voici le droit de la chasse formé; droit le plus noble de tous les droits qui soient en l'usage de l'homme, puis que Dieu en est l'auteur.—*Lescarbot.*

WHEEL CARRIAGES REGULATED TO PRESERVE ROADS.—A proclamation was issued for the preservation of the public roads, "That no common carrier or person whatever shall travel with any carriage with more than two wheels, nor with above the weight of twenty hundred—nor shall draw any carriage with above five horses at once" (1740).

IRISHMEN.—Killing them was only punishable by the Brehon Law; it was often adjudged no felony to kill an Irishman in time of peace.—*Sir John Davies.*

CIVIL AND COMMON LAW.—The Civil Law, which has obtained in so many ages and so many nations, is looked upon by common lawyers as a very defective system; on the contrary, the Common Law, which claims to be of equal antiquity, and under which this nation has so long suffered, the civilian charges with a multitude of absurdities.

CHEVALIER D'EON.—The history of this illustrious and most extraordinary lady who, for the greater part of her life, appeared in a male character, and was known by the name of the Chevalier d'Eon, affords a real example to this

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purpose. In the City of London, different sets of persons laid wagers on the subject of her sex; one of these wagers came to a trial in the Court of King's Bench; and on the occasion of that trial the lady herself was summoned to give her evidence. In this scandalous attempt, the vice of gaming was added to the private offence attempted, and by the very attempt, committed in some sort, by this indecent and barbarous impertinence. Had she appeared, the injury would have been a modification of the offence termed in the English law false imprisonment. Whether she appeared or no, it would, in a comprehensive system of penal law, embracing the whole catalogue of injurious acts, have come at any rate under the denomination of a simple personal injury.—*Dumont.*

MINOR LAW TRIBUNALS.—For facilitating the recovery of small debts, are not entitled to the praise usually awarded them. They foment animosities, promote lawsuits, and encourage a trumpery system of credit which is ultimately ruinous to the retail tradesman and his customers.

CRUELTY.—Although the English criminal laws are almost unparalleled in severity, yet they are not aggravated now by the manner in which they are carried into execution, as was the case in former times.

DEMURRAGE.—Attendance in the neighbourhood of the court for a length of time frequently uncertain—hours, days, or even weeks—that the victim may be in readiness to pay his attendance in court, when the time comes for the delivery of his evidence; in fact, a kind of pause, or stop put to any action upon point of difficulty, which must be determined by the court before any further proceedings can be had therein.

LINCOLN'S INN REVELS.—

When wise, rich lawyers, dance about the fire,
Making grave, needless mirth, sorrows slack,
If clients (who do them too dearly hire)
Who want their money and their comforts back,
Should for their solace dance about the hall,
I judge their dance was more methodical.

Hayman's "Quodlibet."

A JUDGE.—It is asserted in the eighty-fourth number of the *Edinburgh Review*, p. 403, that in a recent case a judge refused to allow the prosecutor his expenses, because one

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of the witnesses for the prosecution offended him by his demeanour.

A MAXIM.—The same hypocrisy reigns where there is no life in jeopardy. On the continent, non bis in idem is moreover, a maxim of Roman-bred law—a maxim made indeed of stretching stuff, like all maxims of all lawyers.

DRENGUGE.—Drengus (the Drenge) pascit canem et equum, et vadit in magna caza cum ij leporariis et v cordis (five cords of provender) et sequitur placita et vadit in legationibus. —*Law Latin.*

LAWYER AND PRIEST.—Are the same word in Turkish; law and divinity being one science. And they are the only people whose lands and money go securely to their children.

A REFLECTION.—A Judge Jeffreys in his wig is an abominable tyrant; yet may his victims smile to think what Judge Jeffreys suffers in his night-cap!

STELLIONATUS.—A lizard is a cunning animal, and a stellio is the most cunning of all the lizards, as Pliny, that most accurate of natural historians assures us. It is upon the ground of this anecdote of natural history that the Roman lawyers have jumbled together so many offences which require no contrivance, under the name of stellionatus. Stellionatus should, by this description of it, have been synonymous to fraud, or been used to express exclusively some modification of fraud.

A LAWSUIT.—Is a perpetual blister on the mind. The medicine tax, if it kills men, suffers them to die at home. The law tax sends them to rot, broken-hearted, in jails.

FICTION.—Is of use to justice, exactly as swindling is to trade.

GROTIUS.—Said to the Advocate Bignon that if he were to change his religion, he would turn Jew.—*De Blainville.*

LAWYERS.—It was without doubt for the checking of the rapacity of the lawyers who, grossly ignorant themselves, preyed on the ignorance of the people, that it was found necessary by the legislature to interfere.

COUNTERFEIT PIECES.—In 1663 four persons, named Jagger, Cooper, Meacomb, and Augier, for this offence were imprisoned, fined one hundred pounds each, set in the pillory,

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and whipped through the streets of London. Loss of ears, or other corporal punishment, as the Court of Castle Chamber, Dublin, might determine, was the penalty of forgers in Ireland.

COURT OF CONSCIENCE.—The Court of Request, commonly called the Court of Conscience, was established for the relief of poor debtors in London and the liberties thereof.

AT THE MITRE, FENCHURCH STREETE.—Here the Sheriffs of London, the Under-Sheriffs, the Serjeants-at-Mace, the Yeomen of the Guard, and the executioner and his assistants, assembled at eight o'clock to a sumptuous breakfast on the morning of the execution of the rebel lords in 1745-6. The noblemen's heads were put into red baize bags.

ANCIENT CRIMINAL LAWS.—Were severe. We read in very early times that Tamar was condemned to be burnt for adultery (Gen. c. 38, v. 24); the same severity is found in the Egyptian Laws, and in those of China also. The same may be said of the Laws of Moses. Blasphemy, idolatry, profaning the Sabbath, witchcraft, homicide, adultery, incest, rape, smiting or cursing father or mother, were punished with death, and with the most cruel kinds of death. It was said too of the Laws of Draco, one of the first legislators of Athens, that they were written with human blood (Plat. ix. Solone, p. 87). The laws of the twelve tables among the Romans were full of cruel institutions. We find there the punishment for theft was burning alive. Amongst the Gauls, criminals also were burnt alive in honour of the gods.—*Cæs. de Bel. Gal.* l. 6, c. 15.

JEMMY DAWSON.—James Dawson was one of the Manchester rebels, who was hanged, drawn, and quartered in the county of Surrey, July 30th, 1746. His betrothed wife dropped down dead at the execution.

A STRONG-WATER MAN.—Vendors of Geneva brandy and other cordials were thus called. In the year 1725, the Justices of the Peace for the county of Middlesex assembled in quarter sessions to report on this trade. They state that "All chandlers, many tobacconists, and several who sell fruit or herbs in stalls, begin now to keep spirits in their shops for their customers."

THE LEET JURY.—Punished the Baxter who broke the assize, placed in pillory, and in the tumbril, the common barreter, the leasing mongers, the regrater, and the usurer.

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Giles Jacob, the blunderbuss of the law, the methodically learned John Kitchin of Gray's Inn, Esquire, double reader, and others of the same kith and kin, have furnished a full account of the nature and duties of the Leet. "Leta," Sax. "Lite," i.e. parvus, quasi, a little court, or from the German "Laet," a country judge.

RENT BEEVES.—As late as the twelfth century the kings of England were often paid in cattle, hence the above title.

BEING COVERED IN COURT.—On the arraignment of Ann Turner, a physician's widow, who was indicted for being accessory before the fact to the murder of Sir Thomas Overbury, she kept on her hat. Sir Edward Coke observing this, bade her put it off, saying "that a woman might be covered in church, but not when arraigned in a court of justice." The prisoner said she thought it singular that she might be covered in the house of God, and not in the judicature of man. Sir Edward replied that from God no secrets were hid, but that it was not so with man, whose intellects were weak; therefore, in the investigation of truth, and especially when the lives of our fellow-creatures are in jeopardy, on the charge of having deprived another thereof, the court should see all obstacles removed, and because the countenance is often an index to the mind, all covering should be removed from the face. Coke then ordered her hat to be pulled off, and she covered her head with her handkerchief.

SIR WILLIAM GARROW.—Had a peculiar dislike to attornies. He hated them to a degree that made him behave to them with positive ferocity. Sir Vicary Gibbs concurred in the aversion. Indeed, "Vinegar" is said to have struck one, by boxing his ears in open court. This was of course when he was at the bar.

PRIMOGENITURE.—The first notice of the right of primogeniture appears to be in a treatise entitled "The Laws of Henry I.," where it is declared that the eldest son shall take the principal feudum of his ancestor.

LAW CHARGES.—A worthy old gentleman in the country having employed an attorney of whom he had a pretty good opinion, to do some law business for him in London, was greatly surprised on his coming to town and demanding his bill of charges, to find that it amounted to at least three times the sum he expected. The honest attorney assured

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him that there was no article in his bill but was fair and reasonable. "Nay," said the country gentleman, "there's one of them, I am sure, cannot be so, for you have set down three shillings and fourpence for going to Southwalk, when none of my business lay that way; pray what is the meaning of that, sir?" "Oh, sir," said he, "that was for fetching the turkey and chine from the carrier's, that you sent me a present out of the country."

ENGLISH GAOLS, SCHOOLS OF CORRUPTION.—Of all the men we meet with, nine parts are what they are, good or evil, useful or not, by their education. "Never was this truth more strongly exemplified than in the case of persons of comparatively pure lives committed to gaol by English lawyers."—*Locke.*

LANDMARKS.—Their removal is of very ancient date; it is alluded to in Genesis. It was also practised in the days of Job. Moses expressly forbids the Israelites to do this. Homer speaks of it as a custom of the highest antiquity (Iliad, l. 12, v. 421). Virgil refers it to the age of Jupiter (*ante* Jovem). Numa decreed the most severe punishments against the practice, and ordered the crime to be punished with death.—*Dion. Halicarn*, l. 2, p. 133.

DUELS.—Blessed be the Lord our God, whose hand hath led our Sovereign's pen to dash the bloody lines of desperate challenges.

MARRIAGE.—Menes, esteemed the first king of the Egyptians, established the law of marriage among the people. The Chinese give the honour of this institution to Fo-hi, their first sovereign.

> Concubitu prohibere vago; dare jura maritis.
> *Hor. de Art. Poet.* v. 398.

AGRICULTURE.—By its dependencies gave occasion to the establishment of a great number of laws. These laws, necessary to govern a people who cultivate the ground, compose the body of civic jurisprudence.

> Non fixus in agris,
> Qui regeret certis finibus, arva lapis.
> *Tibul.* 1, Eleg. 3, v. 43.

THE SUBTLETY OF A LAWYER REPAID WITH THE LIKE SUBTLETY.—There was an unthrift in London that had received of a merchant certain wares which came to fifty pounds, to

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pay at three months, but when he had it, he consumed and spent it all; so at the six months' end there was not any left to pay the merchant, wherefore the merchant arrested him. When he saw there was no other remedy but either to pay the debt or go to prison, he sent to a subtle lawyer, and asked his counsel how he might clear himself of the debt.

"What wilt thou give me," quoth he, "if I do?" "Five marks," quoth the other, "and here it is; and as soon as you have done, you shall have it." "Well," said the lawyer, "but thou must be ruled by my counsel, and do thus: When thou comest before the judge, whatsoever he sayeth unto thee, answer thou nothing, but cry 'Baa' still, and let me alone for the rest." So when he came before the judge, he said to the debtor, "Dost thou owe this merchant so much money?" "Baa," quoth he. "What, beast?" quoth he; "answer to that I ask thee." "Baa," quoth he again. "Why, how now?" quoth the judge. "I think this fellow has got a sheep's tongue in his head, for he answers in the sheep's language." "Why, sir," quoth the lawyer, "do you think this merchant so foolish as to trust this idiot with fifty pounds' worth of ware, that can speak never a word? No, sir I warrant you;" and so persuaded the judge to cast the merchant in his own suit. And so the judge departed, and the court broke up. Then the lawyer came to his client, and asked him for his money, since his promise was fulfilled and his debt discharged. "Baa," quoth he. "Why, thou needst not cry 'Baa' any longer, but pay me my money." "Baa," quoth he again. "Why, thou wilt not serve me so, I hope," quoth the lawyer, "now I have used thee so kindly." But nothing but "Baa" could Master Lawyer get for his pains, and so was fain to depart.

LYNCH LAW.—Lynch law originated in what is known as the Piedmont country of Virginia, which was at the time the western frontier. The nearest court of criminal jurisdiction held it sessions at Williamsberg, which is but seven miles from James Town, where the first settlement was made.

LIMBO.—A prison, a mediæval term for purgatory. The Catholic Church teaches that limbo was that part of hell where holy people who died before the redemption were kept.

THE HERADYNÆMPD.—When exercising their criminal jurisdiction, passed as an assize upon trials of murder, rape, theft, mayhem, and all other personal injuries.

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PRISONS OF IDLENESS.—These houses were first begun to be erected ann. 13 Eliz.; the prison for idleness being before that time the stocks. In the eleventh year of Henry VII., vagabonds and beggars were ordered to be set three days and three nights in the stocks.

EPITAPH UPON LORD MANSFIELD.—

He possessed the wisdom of Socrates,
The eloquence of Cicero,
The harmony of Virgil,
And the wit and pleasantries of Horace.

Oft with success this mighty blast did brawl,
Where loudest lungs and biggest words win all.

LANGLOIS.—This advocate was asked why he so burdened himself with bad causes? He replied, "I have lost so many good ones that I am puzzled which to take."

HIGH COURT OF JUSTICE.—Under one Keeble. In this slaughter-house were butchered Colonel Eusebius Andrews, and other loyal subjects.

THE KING'S WILL.—The common law ran only where the plough ran. Marsh and moor and woodland knew no law but the king's will; and it was this will which was embodied in the form of forest law, the basis of the present game laws.

DEAD LANGUAGES.—If the learning of the judge puzzles the witness, sometimes the dog-Latin of the lawyers puzzles a judge. A short time ago in San Francisco, a hotly-contested case came on in a certain justice's court in the city, which is presided over by a magistrate with a strong antipathy to the dead languages, and all who indulge in the affectation of using them. The plaintiff having put in his complaint in due form, the judge demanded what was the defendant's answer. Whereupon the defendant's counsel, who had been brought up under the old system, and still had a lingering love for scraps of law Latin, responded, "May it please the court, our answer is that the same subject-matter and cause of action in a previous suit already determined, in consequence of which the question is now raised before your honour is res adjudicata." "Is what?" cried the judge, adjusting his spectacles. "Res adjudicata, if the court pleases." "Sir," said the judge, we allow no dead languages here. Plain English is good enough for us. The practice has abolished the dead languages, and if you give us any more of your

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Greek and Latin, I'll commit you, sir, for contempt of this court."

ECCENTRIC WRITS.—Some may still exist, such as that by which Walter le Rous was "held to bail in eight oxen and four cart-horses, to come before the king on the day specified" for attendance in Parliament.

VISCOUNT BOLINGBROKE.—After his partial pardon and return to England, being suspected of harbouring a person accused of a state crime, his house, and even his bed-chamber, as he was lying in bed, were searched by the ministers of justice.

THE DUCKING-STOOL.—Was formerly as common in every parish as the stocks and the whipping-post. It was called a tumbrel, tribuck, trebucket, and a thewe. The ducking-stool is an instrument of great antiquity; brewers and bakers were sometimes punished with it. In the *Regiam Magistram* Sir John Skene states this punishment is said to have been anciently used in Scotland.

At Kingston-on-Thames (1572), the expenses for one of these stools amounted to twenty-three shillings and fourpence.

I'll speed me to the pond, where the high stool
On the long plank, hangs o'er the muddy pool,
That stool the dread of ev'ry scolding queen.

There stands, my friend, in yonder pool,
An engine called a ducking-stool;
By legal power commanded down,
The joy and terror of the town.
If jarring females kindle strife,
Give language foul, or lug the coif,
If noisy dames should once begin
To drive the house with horrid din,
Away, you cry, you'll grace the stool,
We'll teach you how your tongue to rule.
No bawling wives, no furious wenches,
No fire so hot but water quenches.

ENGLISH LAW.—Affords a story which, whether meant for truth or jest, may serve for exemplification. Pressed for payment on a forged bond, a man applies to his attorney. *Client:* "What is to be done?" *Attorney:* "Forge a release."

HERIOTS.—It is a fact that the Pitt Diamond and the famous picture of Rubens, the Chapeau de Paille, which is

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the gem of the Peel Collection in the National Gallery, were barely saved from seizure as heriots, and the most valuable racehorse of its time was actually seized ; their owners happening to have some fragments of copyhold amid their estates.

INTERROGATION.—Governed, if not by a sinister reason, by blind caprice, under the mask of tenderness, English lawyers admitting self-disserving evidence when supposed to have been extra-judicially delivered or extracted, forbid it to be judicially extracted or received.

JACTITANTIAL.—In the case of John the painter, who in the year 1777, was hanged for setting fire to a public storehouse at Portsmouth, under the notion of rendering service to the American States on the occasion of the war which terminated in their independence, the principal part of the evidence was of this complexion.

LAMMAS DAY.—Lamb mass, the first of August. At that time the popish priests began to make masses, that the lambs and sheep might not die all that season by the cold after shearing. Some tenants were bound by their tenure to bring a live lamb into the church at high mass.

HANGING IN CHAINS ALIVE.—In England, many about three hundred years since, and some few instances within two hundred years.

BENEFIT OF CLERGY.—In the extreme times of popish ignorance, when monks themselves could scarcely read or understand Latin, and the common people were wholly ignorant of it, the monks had that privilege of reading their "neck verse," whatever villainies they committed, whilst the illiterate vulgar died for it ; and thence came the "benefit of clergy." Possibly the first custom in this nation came from the old Romans, who sometimes pardoned criminals upon the repeating of "Tu potis es nigrum, vitio prefigere Theta."

A JEST OF A FELON AT OXFORD.—The assizes being at Oxford, among the rest was a felon that had the benefit of the clergy "to have his booke ;"* but he could not read never a word, which a scholar perceiving stood behind, and prompt him with his verse that he was to read ; and comming to the latter end, he held his thumb upon the book that the scholar could not see, wherefore he bade him softly, "Take away thy thumb." He, thinking that the same was in the book, said aloud, "Take away thy thumb," which the judge perceiving,

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bade take him away; and so he was condemned. And being upon the ladder ready to die, and the rope about his neck, he said, "Have at yon dasie that growes yonder," and so leaped off the gallows.

* An allusion to the neck verse.

SWEETING'S RENTS, CORNHILL.—Have fled for ever before the education of the laity; they bounded the east side of the old Exchange, and Sweeting's Alley led to them.

A PREROGATIVE DENIED.—Connor, Lord Macquire, preferred a petition to the House of Commons that the execution of his sentence might be altered to beheading; but his petition was rejected, and he was executed at Tyburn on Thursday, February 20, 1644, being drawn, hanged, and quartered as a commoner.

COUNTER GATE.—Counter was the name of two prisons in London, the Poultry Counter and Wood Street Counter, for the use of the City to confine debtors, peace-breakers, &c., where if any one enter he is like to account before he gets out. The old dramatists and writers on manners are unsparing in their allusions to the counter prisons, and constantly labour to extract some pleasantry from the name, which to many who had tasted the horrors of an English prison, must have been odious enough even in jest.

A MUFFLER.—A contrivance adopted by women to conceal a portion of their face, consisting usually of a linen bandage which covered their mouth and chin. It was enacted by a Scottish statute in 1547, "that na woman cum to kirk, nor merciat, with her face mussaled or covered that scho may not be kend."—*Douce.*

THE FLITCH AT DUNMOW.—Ill-humour has been observed between man and wife; the woman dies. Is this a proof that she died by murder, and that her husband was the murderer? At that rate, the few couples excepted who might be capable of making title to the flitch at Dunmow, all married men and all married women are murderers.

CIRCUMSTANTIAL TESTIMONY.—Denominated juramentum expurgatorium (*Heinecc. lib. xii. p.* 292), like everything in Roman or any other law, is obscure and vague enough. It is like Harpagon in the play, "Rends-moi, sans te fouiller, ce que tu m'as volé (*Molière's Avare*); the search had already been made, and produced nothing.

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LYDFORD LAW.—Is punish first, and try afterwards. Lydford, in the county of Devon, was a fortified town in which was an ancient castle where was held the Courts of the Duchy of Cornwall. Offenders against the Stannary Laws were confined before trial in a dungeon so loathsome that it gave rise to the proverb, "Lydford Law." The castle was destroyed by the Danes.

AN HISTORICAL GRAND JURY.—

Sir William Darcy, Bart., foreman.

Sir Robert Bolles, Bart.	John Fotherly, Esq.
„ Edward Ford, Knight	Charles Gibbons, Esq,
„ Thomas Preytwick, Knight	Thomas Gerce, Esq.
„ William Coney, Knight	Richard Cox, Esq.
„ Charles Sidley, Bart.	Robert Bladwell, Esq.
„ Lewis Kirk, Knight	Henry Mustian, Esq.
„ Ralph Bovey, Bart.	John Markham, Esq.
Edward Chard, Esq.	Edward Buckley, Gent.
Robert Giggon, Esq.	Francis Bourchier, Gent.
Edward Lole	

Hart, Cryer

Commissioned on account of "the execrable murther of the blessed king, that is now a saint in heaven, King Charles I."—*Sessions in the Old Bailey, October* 10, 1660.

LORD HARDWICKE.—Though avarice was his ruling passion, he was never suspected of any kind of corruption; a curious instance of self-denial, under the influence of such a craving, insatiable, and increasing passion. By great and lucrative employments during the course of thirty years, and still greater meanness and parsimony, he acquired an immense fortune, and established his numerous family in profitable posts and sinecures.—*Chesterfield.*

LORD THURLOW.—On the day before the court rose for a long vacation, the Chancellor left without making the then valedictory address to the bar. He had nearly reached the door of his room, when a young barrister said to a friend in a loud whisper, "He might, at least, have said, 'D—n you!'"

TRANSPORTATION.—A criminal before such a consummation has to go through more processes than a new pin. First as Mrs. Glasse says of her hare, he has to be caught, then examined, committed, and true billed, arraigned, convicted, and sentenced. Next, he must perhaps be cropped, washed, and clothed, hulked and shipped, and finally, if he does not die of

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sea-sickness, or shipwreck, or get eaten by the natives, he may toil out his natural term in Australia as a stone-breaker, a cattle-keeper, or a domestic servant. Who that standeth, knoweth but he may fall. Your hands, as yet I am most willing to believe, have never deviated into other's property. You imagine it impossible that you could commit so heinous an offence ; but so thought Fauntleroy once ; so have thought many besides him, who at last have expiated as he hath done. —*Lamb's Letters.*

VIOLENT DEATHS PREFERRED TO PEACEFUL AND NATURAL ONES.—The fabulous chiefs of half-civilized nations have invariably represented their favourite heroes as destroyed by a violent death, generally by treachery. Achilles, at least according to the fables of the ancients, was thus slain by Paris; and Rustan, the great Persian hero, fell a victim to the snares of Bahaman, the son of his mortal foe, Isander. This has probably arisen from poets and romancers wishing to spare their heroes the suspicion of having died in bed by the languor of disease, to which any violent death appears to have been preferred. "He'll be strapped upon the kind gallows of Crieff, where his father died, and his good sire died, and where I hope he'll live to die himself, if he is not shot or slashed in a creak." "You hope such a death for your friend, Evan ?" "And that do I e'en ; would you have me wish him to die in yon den of his, like a mangy tyke ?"

QUAINT HUMOUR.—On the circuit somebody asked if the judge was not just behind. "I don't know," was the reply, "but sure I am that he was never just before."

PUTTING THE EYES OUT.—

Prince Arthur : "Must you with hot irons burn out both my eyes ?"

Hubert : "Young boy, I must."

The barbarous cruelty proposed to be practised on Prince Arthur had reference to the ancient laws of Germany ; the sovereignty could not be exercised by a person deprived of sight. Although death was indicated by the royal uncle in his conference with Hubert, it would seem as if John, shrinking from the guilt of actual murder, had subsequently contented himself with ordering that "the young serpent on his path" should be incapable of reigning by the loss of his eyes.

REPETITION.—In law is no less familiar on the north side

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of the Tweed than it is strange on the south side. It is a term borrowed by the Scotch from Roman Law. Recolement is exactly the same thing in French law. French recolement, though in point of signification in an irregular sort of way, is a conjugate of Roman and English recollection. A deponent is in Scotch said to be repeated, in French recoled, recolé or recollé.

BENEFIT OF CLERGY.—A law of Henry VII. for burning in the hand clerks convicted of felony, did not prove a sufficient restraint. And when in the fourth year of the following reign it was enacted that all murderers and robbers should be denied the benefit of their clergy, two provisoes were added to make the Bill pass through the House of Lords, the one for excepting all such as were within the holy orders of bishop, priest, or deacon, and the other that the Act should only be in force till the next Parliament. This gave grave offence to the clergy, and the Abbot of Winchelonet said, in a sermon at Paul's Cross, that the Act was contrary to the law of God, and to the liberties of the holy Church, and that all who assented to it had, by so doing, incurred the censures of the Church.—*Burnet's "Reformation."*

A WIDOW'S RENUNCIATION OF HER HUSBAND'S DEBTS.—After the death of Waleran, Count de Saint Pol, his widow publicly renounced, by her attorney, all the debts and estates of her late lord, excepting her dower, by placing on his tomb his belt and purse, of which act she demanded from the public notaries present to have certificates drawn up.—*Monstrellet.*

THE PILLORY.—Two were erected in the palace yard, and there the sentences of the Star Chamber against Burton, Bastwick, and Prynne were executed. When Burton was cropt, his wife, Dr. Poe's daughter, got a stool, kissed him; his ears being cut off, she called for them, and put them in a clean handkerchief, and carried them away with her. Prynne lost his first ear in the pillory at Westminster, in full term, his other in Cheapside, where, while he stood, his volumes were burnt under his nose, which had almost suffocated him.—*Garrard.*

THE KING'S TURNSPIT.—Used to be a member of Parliament. The clerk of the deputy of a servant of a clerk of the keeper of one of the king's seals is still a judge.—*Burke's Speech on his Economy Bill.*

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EXTRACTION.—A reserve dictated by prudence and allowed by truth, would be the sole resource of a man of sincerity and honour. Mendacity, a resource more familiar to their hands, more congenial to their tastes, more gainful to their pockets, has been the resource of English lawyers.—*Bentham.*

R. T. CROSSFIELD.—Was tried for high treason, at the Old Bailey, 11th and 12th of May, 1796; his crime was a conspiracy to assassinate his late Majesty by shooting a poisoned arrow out of an air-gun. It was nicknamed the pop-gun plot.

A DAW.—A foolish fellow, a slattern, or sluggard. A daw to a solicitor probably means what is now understood by a "lawyer's clerk." This expression continually occurs in jest-books of the 16th and 17th centuries, such as "Newes out of Purgatory," "Balme from Gilead to recover Conscience," "Philosophers' Satyrs," and many others.

> Signior Necessity, that hath no law,
> Scarce ever read his Litleton, a daw
> To a solliciter is now become.
> Justice of peace and coram; takes his room
> 'Mongst grave and learned judges; is still cald
> Right worshipfull, his wit and pate both bald—
> And yet the fool expects th' ensuing year
> To be elect high sherif of all the shire.
> I and he hath great hopes, for the whole tribe
> Of voices that elect the sherif hee'l bribe;
> And after that he hopes to get consent
> By this means to be knight o' th' parliament.

PRISONS.—

The Tun on Cornhill . . .	Priests were punished there and forced to forswear the city.
Prison at Ludgate	This gate was made a free prison in 1378, in which all freemen should be placed for debt, trespasses, accompts, and contempts.
Prison at Newgate	This gate was used as a prison for felons and Jews. In 1241 the Jews of Norwich were hanged here.
The Counters in the Poultry .	Pertained to the Sheriffs of London, and was generally used for wantons; it was close to Love Lane.

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Lollard's Tower	Used as the Bishop's Prison. The last occupant appears to have been one Mr. Peter Burcher, lawyer of the Middle Temple, for murdering John Hawkins, Esq., a serviceable gentleman.
Fleet, a Prison House	So called of the water running by it, and some time flowing about it, but now vaulted ever.
The Clink	A gaol for trespassers, who should brabble, fray, or break the peace.

SIR EARDLEY WILMOT.—Once appeared at the Bar of the House of Commons on a contested election. He received a well-merited and haughty reprimand from Mr. Pitt, who told him he had brought there all the pertness of his profession; and, being forbidden by the Speaker from making any reply, he flung down his brief on the floor, and never returned there again.

PUNCTUATION.—Is not so universally agreed upon, nor so thoroughly settled, as that the boundary-line between every two sentences shall in every case be beyond dispute or doubt; but in each instance—so it be settled, which it may always be—so long as there is somebody whose duty it is to settle it, the mode in which it is settled, and the degree of simplicity resulting from such mode, will, comparatively, be a matter of indifference. Praxis is not used by the inquisitorial profession.

LORD CAMDEN.—His ruling passion in life was enmity to Lord Mansfield; he disputed, with unprecedented acrimony, every argument the former laid down.

RAPES AND LATHES.—The rapes of Sussex were military governments, in the time of the Conqueror. The lathes of Kent were civil jurisdictions of an earlier date.

THE HUGUENOTS.—While Louis XIV. was prosecuting the Huguenots, it was an established maxim, a fiction of French law, that there were no such persons in existence.

LAST YEARS OF THE CONDEMNED BARTHOLOMEW FAIR.—In what manner the body of the Fair was removed, it is needless to dwell upon. For a dead man there needs but a coffin and a coach, for a dead institution there needs must be lawyers, acts and ordinances. However, Bartholomew Fair, which was maintained for seven centuries, was put to death and executed by the lawyers in 1859. The

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Fair used to begin on the twenty-fourth day of August, and was contained in four several parishes, viz., Christ Church, Great and Little Saint Bartholomew's, and Saint Sepulchre's.

BROUILLERIE.—In England, as elsewhere. it is asked why lawsuits are eternal? Some say it is owing to the nature of things. Other people say it is the fault of human nature.

The priest calls the lawyer a cheat,
The lawyer beknaves the divine;
And the statesman, because he's so great,
Thinks his trade as honest as mine.

A lawyer is an honest employment; so is mine. Like me, too, he acts in a double capacity, both against rogues, and for 'em; for 'tis but fitting the lawyer should protect and encourage cheats, since he lives by them.—*The Beggar's Opera.*

So slow is justice in its ways,
Beset by more than customary clogs,
Going to law in these expensive days,
Is much the same as going to the dogs.
But possibly I err,
And the sagacious and judicial creature,
So chancellor-like in feature,
With ears so wig-like, and a cap of fur,
Looking as grave, responsible, and sage,
As if he had the guardianship, in fact,
Of all poor dogs, or crackt,
And puppies under age,
It may be that the creature was not meant,
Any special lord to represent,
Eldon or Erskine, Cottenham or Thurlow,
Or Brougham (more like him whose potent jaw),
Or Lyndhurst, after the vacation's furlough.
Presently sitting in the House of Peers,
On wool he sometimes wishes in his ears,
When touching corn laws, taxes, or tithe piggery,
He hears a fierce attack,
And, sitting on his sack,
Listens in his great wig to greater whiggery.

BROWNISTS.—A name given to the disciples of Robert Brown, a schoolmaster in Southwark, about 1580. Brown, after being imprisoned thirty-two times by the lawyers, thought it more convenient to conform to the Established Church.

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LORD CHIEF JUSTICE SCROGGS.—Articles of high misdemeanours were presented against Sir William Scroggs. Amongst these articles occur the following: "That the Lord Chief Justice is very much addicted to cursing and swearing in his discourse, and to drink to excess, to the great disparagement of the dignity and gravity of his said place. He did, in his common discourse at dinner, at a gentleman's house of quality, publicly and openly use many oaths and curses, and there drank to excess."

EPIGRAM BY SIR THOMAS MOORE.—

Dum furti metuit damnari Clepticus, empto
Non sine consuluit munere causidicum.
Hic ubi sæpe diuque immensa volumina volvit,
Spero, ait, effugies, Cleptica, si fugias.

A rogue, convicted and condemn'd to die,
Had still some hope of safety in his eye;
He fee'd his lawyer, and then ask'd advice.
"Your case," replied the counsellor, "is nice.
'Tis from my books this reference I draw,
Fly from the country, and you'll fly the law."

ABSURD OATHS.—Formerly, every student at his admission to Oxford was sworn in Latin to observe the University statutes. "So help me God," said the matriculated person, "touching as I do the most Holy Gospel of Christ." The barbers, cooks, bed-makers, errand boys, and other unlettered retainers of the University, were sworn in English to the observance of the Latin statutes.

"Tu fidem dabis ad observandum omnia statuta, privilegia, et consuetudines hujus universitatis Oxon."

A TESTATOR.—The lawyers say he executes his will. The executioner of it, without much impropriety, might be called the lawyer, and his dupe the autographer; because the testator neglected to comply with this or that requisition, the existence of which it had been rendered impossible for him to be apprized of.

Nullis lex verbis a nullo, nemine nunquam.
Law, in no words, by no one, never made.

GENEALOGICAL FACTS.—To the lawyer, whose prosperity rises with the unhappiness and misconduct of mankind, it is a matter of advantage that obligations and rights of this class, as of every other, should float in perpetual uncertainty; and that in this, as in every other part of the field of action, the

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rule of action should remain for ever as completely unknown, and as incapable of being known as possible.

SHORTHAND WRITING.—The first work printed on this subject was by Dr. Timothy Bright, of Cambridge, in 1598, who dedicated it to Queen Elizabeth, under the title of "An Art of Short, Swift, and Secret Writing by Character."

POSTHUMOUS CHARITY.—In process of time, in this matter, the lawyer came to the assistance of the priest, and formed a distinction between the superstitious and charitable use. Henceforward, instead of robbing their relations for the uses of the Church, a method was devised by the lawyers of robbing them for the use of the poor. Hence, poor-houses alms-houses, colleges, and hospitals began to present themselves to the views of travellers, being generally situated in the most public places, and bearing the name and title of the generous founder in vast capital letters; a kind of ΚΤΜΑΕΣ ΑΕΙ, a monument of his glory to all generations.

SIR THOMAS MORE AND LORD BACON.—It is curious that these two great Chancellors should have used their pens, the one to blacken a great prince, the other to varnish a pitiful tyrant.

The most senseless stories of the mob are converted into history by the former; the latter is still more culpable; he has held up to the admiration of posterity, and what is worse, to the imitation of succeeding princes, a man whose nearest approach to wisdom was mean cunning; and has raised into a legislator, a sanguinary, sordid, and trembling usurper. Another Chancellor has written a history with the same propensity to misrepresentation, viz. Lord Clarendon. It is to be hoped no more Chancellors will write history till they can divest themselves of that habit of their profession, apologizing for a bad cause.

GOING TO SEE A MAN HANGED.—This is the 20th July, 1840, and I may be permitted for my part to declare that, for the last fourteen days after, so salutary has the butchery been upon me, I have had the man's face continually before my eyes; and that I can see Mr. Ketch at this moment, with an easy air, taking the rope from his pocket; that I feel myself ashamed and degraded at the brutal curiosity which took me to see that brutal sight; and that I pray to Almighty God to cause this disgraceful sin to pass from us, and to cleanse our land of blood.—*Thackeray*.

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AFFIDAVIT WORK.—The least trustworthy of all modes of collection, now completely supersedes and renders unnecessary every other, that is, every better mode.

PROVISION FOR THE POOR.—In the forty-third year of Queen Elizabeth, the famous statute was made for providing for the poor; and which is the corner-stone of all our interesting codes on the subject.

A CALIFORNIAN SENTENCE.—In the early days of California, a rough-and-ready dispenser of the law held a court on a Sunday, and sentenced a "greaser" (a native Californian or Mexican), according to the law then in force, to thirty-nine lashes, for theft; but on the prisoner's counsel threatening to apply for a writ of habeas corpus, on the ground it was "unconstitootional" to hold a court on a Sunday, the judge declared with a round oath that rather than that the blessed greaser should get off by any such pettyfogging trick, he would carry the sentence "right away." And then and there he applied the thirty-nine lashes, the law limiting them to under forty, remarking, when he had finished, that the lawyer had better reserve his "'habeas corpus' until the greaser's back got barked again!"

TITHING.—All archbishops, bishops, earls, barons, and all who have "sok" and "sac," "tol" and "team," and these kind of liberties, ought to have under their Fridhburgh, all their knights, servants, esquires; and if any one of them prove delinquent, the lord shall bring him to justice, and pay his fine.—*Bracton.*

MUNICIPAL RECORDS.—Show that the executioner's remuneration for inflicting a whipping was fourpence a head.

THE EARL OF HOLLAND.—Used to hold a court almost every year as Chief Justice in eyre, for the recovery of the king's forestal rights, which made great havoc with private property. No prescription could be pleaded against the king's title, which was to be found indeed by the inquest of a jury, but under the direction of a very partial tribunal.

BENEFIT OF CLERGY.—Had its origin in an old constitution of the Pope, that no man should accuse the priests of Holy Church before a secular judge; and it is said to have been founded on the text, "Touch not mine anointed, and do my prophets no harm."

BUMBOAT ACT.—(2 Geo. III., c. 28). Confined to the

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Thames; forty shillings' worth of goods stolen on or near the Medway or Severn, being worth more or less than forty shillings' worth of goods stolen on or near the Thames.

MARSHALSEA.—From the old word March, which signifies a horse; Sax. Mar., i.e. equus, *Hotoman.* This penitentiary was under the control of the Royal Knight Marshal, whose jurisdiction extended twelve miles round Whitehall, the City of London excepted. It stood near St. George's Church, in the Borough.

THE POWER OF GOLD.—

And now our laws for Mammon's cursed gold,
Like as open at mart are bought and sold.
Our lawyers, like Demosthenes, are mute,
And will not speak, though in a rightful suit,
Unless a golden key unlock their tongue;
Then how thei'l sweat, be it for right or wrong,
And get their cause too, or it shall go hard,
When the poor client, of his right debarr'd,
Cursing the law, first for man's good ordain'd,
Grieves at his loss, which ne'er can be regain'd.

LAWS ON FOREIGNERS.—Formerly the laws of different nations bore pretty hard upon foreigners; often harder than could be justified by the law of nature in its utmost rigour. Even in private affairs, odious distinctions were made between foreigners and natives.

PROCRUSTEAN CANONS.—Mos pro lege. Custom for law. Long-established usage, as in the case of a fixed modus for tithes, will stand in the place of law.

KING JOHN.—Was the first King of England that planted English laws and officers in Ireland, and who took upon himself the title of "Lord of Ireland."

IMPRISONMENT.—We are all prisoners. What is our life but a prison? We are all imprisoned in an island. The world itself to some men is a prison; our narrow seas are so many ditches, and when they have compassed the globe of the earth, they would fain go see what was done in the moon.

A POST-MORTEM CONCESSION.—The relation of a culprit who had been hanged had procured, the year after his death, permission to give him a Christian burial. A public cryer who attended the body exhorted the neighbours to put up their prayers for the soul of the person executed, a poor man whom they had just found under a tree!

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A LAWYER AND HIS CLERK.—As they were riding on the road, the clerk desired to know what was the chief point of the law. His master said if he would promise to pay for their suppers that night he would tell him; which was agreed to. "Why, then," said the master, "good witnesses are the chief point in the law." When they came to the inn the master bespoke a couple of fowls for supper; and when they had supped, told the clerk to pay for them according to agreement. "O, sir," says he, "where's your witness?"

AT AN ASSIZE COURT.—One of the witnesses in giving evidence turned to the jury, whereat the prisoner flew into a passion and shouted out to the jury-box, "Set of boobies! asses! pack of idiots!" Upon which the judge, interrupting, said, "Do not speak to the jurymen. Address your observations to the court."

THE ESTATE OF THE VILLAIN.—Or copyholder seems to have originally holden only at the will of the lord; but the law was afterwards altered, and in the reign of Edward IV. some of the best judges were of opinion that if the copyholder was unlawfully ejected by his lord, he should have an action of trespass against him at the common law.

A MILE.—It was enacted (A.D. 1588), "That the length of the statute mile in future should be eight furlongs, each furlong containing forty poles or perches, and each pole to contain sixteen feet and a half, or 1760 yards in length."

AN ELECTIONEERING BILL.—At Sir Francis Delaval's election at Andover the attorney's bill was not discharged. It had been running up for many years, and though large sums had been paid on account, a prodigious balance still remained to be adjusted. The affair came before the Court of King's Bench, when among a variety of exorbitant and monstrous charges, there appeared the following article: "To being thrown out of the George Inn, Andover; to my legs being thereby broken; to surgeon's bill and loss of time and business, all in the service of Sir F. B. Delaval, 500*l.*

MR. CURRAN.—Was fond of giving ludicrous names to places and persons around him. His friend Mr. Hudson the dentist's house was built in the "Tuscan Order;" a celebrated snuff-manufacturer's seat was "Sneeze Town;" the libraries at watering-places were "Slopshops of Literature. He called a commander of yeomanry, who dealt largely in flour, "Marshal Sacks;" a lawyer of a corpulent frame, "Grotius;"

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another who had the habit of swelling out his cheeks, "Puffendorf."

TIME.—The commencement of the legal year in England was altered to the 1st of January in 1752. Previous to this the English year was held to begin on the 25th of March. The 1st of January was adopted as the commencement of the year by France in 1563, and by Scotland in 1600. In England the inconvenience of dating the year differently to other countries became so great that at last the alteration was effected, after an infinity of opposition and argument by judicial luminaries and others.

A PROCLAMATION.—In the year 1547 a law was issued by Henry VIII., "that women should not meet together to bable and talk, and that all men should keep their wives in their houses."

A DANCING JUDGE.—Baron Pollock was waited upon by his kind friends who wished him to resign, suggesting it was for his own sake, entirely with a view to the prolongation of his own valued life. The old man arose, and being particularly proud of his legs, began to dance and caper about the room with a certain amount of vivacity, and which ended in his nearly kicking the deputation downstairs. There were no more anxious inquiries after his health suggesting retirement.

HERIOTS.—"Veraciter hæc institutio legis est diabolicæ non divinæ."—*Martene et Durand.*

HOTCH-POT.—French hoche-pot, from hocher, to shake or jumble together, or from the German hoch-pot, the huge pot or family caldron. Wharton says it is hoché en poche.

THE MURDER OF A KING.—On Richard Brandon, the supposed executioner of Charles I.:—

Who do you think lies buried here?
One that did help to make hemp dear;
The poorest subject did abhor him;
And yet his king did kneel before him;
He would his master not betroy,
Yet he his master did destroy,
And yet no Judas; in records 'tis found
Judas had thirty pence, he thirty pound.

Brandon died in 1649, and was buried in Whitechapel churchyard; the burial register of St. Mary Mattelon has

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the entry, "Buried in the churchyard, Richard Brandon, a ragman of Rosemary Lane." The fee (30*l.*) was said to have been paid in crown pieces. Others, however, have been charged with the deed: William Walker, Hugh Peters, "Colonel" Joyce, William Hewlet, and lastly, Lord Stair. At first it was proposed to execute his Majesty in his robes, and afterwards to drive a stake through his head and body, to stand as a monument on his grave (*South*). The king wore pearl earrings, and the day before his murder took one of great value from his ear, and gave it to Bishop Juxon in charge for his daughter, the Princess Royal (*Aitzema*, vol. iii. p. 327). John Bradshaw, a low attorney, was "Lord President of the Court." The fourth and last time the king was brought before this mock tribunal, a miscreant spat in his face, some say a woman. The king between his sentence and execution slept as calmly as usual, though the noise of the workman employed in forming the scaffold continually resounded in his ears. There were guards upon his person day and night. On the last morning, after a composed rest, the king rose early, and dressed himself with more than usual care; the five clergymen ordered to administer spiritual help to him after his sentence were Marshal, Nye, Salway, and Dell (*Kennet*). His Majesty drank one glass of wine a little before he came to execution (*Lady Eleanor Audeley*), and delivered his *George* to the Bishop of London for Prince Charles. There were two executioners disguised in vizors. The king's head was dissevered from his body at a single stroke by the man in the mask; the other executioner exposed the bleeding head to public view. Immediately after the decapitation, "Colonel" Hewson went with a party of horse from Charing Cross to the Royal Exchange, proclaiming as he went that whosoever should say that "Charles Stuart" died wrongfully should suffer present death. Philip Henry gives an account of the general groan when the blow was given; both he and Usher kept the day always as a fast, and so did Evelyn (*James Nichols*, p. 377). The sheet in which his Majesty's head was received is preserved with the communion plate at Ashburnham, and his watch also. The blood with which the sheet was nearly covered is now almost black. It was observed that at such time as the king's body was brought out from St. George's Hall, the sky was serene and clear, but presently it began to snow, and the snow fell so fast that by the time the corpse came to the west end of the Royal Chapel the black velvet pall was all white, the colour of innocency (*Wood's Athenæ*). Thus went the White King to his grave; his last

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word on earth was "Remember," and his favourite motto "Dum spiro, spero."

DUSTY FEET.—From dusty feet we get the name of the Court of Pie Powder, or more properly, the Court of Pies-powdrees or dusty feet, curia pedis pulverizati. Stourbridge Fair, near Cambridge, had its Pied-poudre Court so late as the year 1770, having a pair of stocks and whipping-post in front, and a strong-room underneath.

"I'll ha' you i' the Pie-pouldres."
(*Bartholomew Fair*) *Ben Jonson.*

USURY.—A treaty between want and avarice. The scourge of a state, as it silently destroys agriculture and commerce.

Pour connoître le prix de l'argent il faut obligè d'en emprunter (*French proverb*)—He will soon learn its value, from the price which is set upon it by others.

THE DEVIL AND A GRIPING USURER COMPARED TOGETHER.—One of the antients thought that there was no fitter creature to compare the devill himself to, than the griping usurer; for as the usurer doth make sure to himself, and get into bonds the patrimony and inheritance, and so sometimes the very life of the borrower, for a little money, which he lends to satisfie his need for the present; so the devill for a little fleshly or worldly content, which he lends a man for a moment, gets the very soul of that man into bondage, and makes the poor sinner make over unto his use and service the whole patrimony of the powers of his most precious soul.—*St. Ambrosius de Tobia*, tom. 4, cap. 4.

OUT OF DEBT OUT OF DANGER.—Εὐδαίμων ὁ μηδὲν ὀφειλων—Happy he that owes nothing.

A USURER.—His money comes from him like drops of blood. He'll flay a flint. He serves the poor with a thump on the back with a stone. He'll dress an egg, and give the offal to the poor. He's like a swine, never good until he comes to the knife—Avarus nisi cum moritur nil recte fecit. His purse is made of toad's skin.

A DREAM.—

Audire atque togam jubeo componere, quisquis
Ambitione malâ aut argenti pallet amore.
Hor. Sat. III. 77.

Come all whose breasts with filthy lucre rise,
Or the pale passion that for usury dies.
Compose your robes—

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At the end of a valley stood the Temple of Usury, made after the manner of a fortification, and surrounded with a thousand triple-headed dogs, that were placed there to keep off beggars. At any approach they all fell abarking, but an old woman, calling herself Avarice, soon pacified them. She carried under her garments a golden bough, which she no sooner held up in her hand, then the dogs lay down, and the gates flew open. An hundred iron doors had to be opened before the temple was entered. At the upper end of it sat the God of Usury with a long filthy beard, and a meagre, starved countenance, enclosed with heaps of ingots and pyramids of money, but half naked and shivering with cold. On his right hand was a fiend called Law, and on his left a particular favourite, to whom he had given the title of Justice.

USURY.—The letting out at interest, or upon usury, or properly extorting an unreasonable rate for money beyond what is allowed by statute. By the Stat. 12 Ann, c. 16, no person shall take directly or indirectly for loan of any money, anything above the value of 5*l.* for the forbearance of 100*l.* a year. Scriveners, solicitors, attorneys, and drivers of bargains are not to take above 5*s.* for the procuring the loan of 100*l.* a year, on the pain of forfeiting 20*l.* . . . The law against usury is for the protection of creditors as well as debtors; for if there were no such check, people would be apt, from the temptation of great interest, to lend money to desperate persons, by whom they would lose their money.—*Dr. Johnson.*

AUDLEY.—A lawyer and usurer in the reigns of James I. and Charles I., could at all times outknave a knave. One of these incidents has been preserved. A draper of no honest reputation, being arrested by a merchant for a debt of 200*l.*, Audley bought the debt for 40*l.*, for which the draper immediately paid him 50*l.* But Audley would not consent unless the draper indulged a sudden whim of his own. This was a formal contract that the draper should pay within twenty years, upon certain twenty days, a penny per month doubled. A knave in haste to sign is no calculator; and a contemporary dramatist describes one of the arts of these citizens, a part of whose business was to swear and break—they all grow rich by breaking! The draper eagerly compounded. He afterwards grew rich. Audley silently watching his victim, within two years claimed his double pennies every month during twenty months. The pennies had now grown into pounds. The knave perceived

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the trick, and preferred paying the forfeiture of 500*l.*, rather than receive all the little visitations of compound interest in the last descendant of 2000*l.*, which would have closed the draper's shop.

USURER.—A Christian of bowels, who lends to his friends want at the modest interest of 50 per cent.

While griping Jasper glories in his prize,
Wrung from the widow's tears and orphan's cries.

The vile tribe of usurers and bites,
Who sneak at Jonathan's, and swear at White's.

In Venice town not long agoe,
A cruel Jew did dwell,
Which lived all on usurie,
As Italian writers tell.

Gernutus called was the Jew,
Which never thought to dye ;
Nor yet did any good
To them in streets that lie.

His life was like a barrow hogge,
That liveth many a day,
Yet never once did any good,
Until men will him slay.

Or like a filthy heap of dung,
That lieth in a whoard,
Which never can do any good,
Till it be spread abroad.

So fares it with the usurer,
He cannot sleep in rest,
For feare a thief will him pursue,
To plucke him from his nest.

His heart doth think on many a wile,
How to deceive the poore ;
His mouth is almost full of mucke ;
Yet still he gapes for more.

The above ballad may have inspired the immortal character of Shylock the Jew ; it was written before the Merchant of Venice, is the opinion of Warton. This is equivalent to assigning it a date at least as old as 1598, in which year it is known from Meres' Palladis Tamia that Shakespeare's play was in existence. There is another ballad on the same subject, entitled " The Northern Lord and the Cruel Jew."

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Others say Shakespeare borrowed this character from Barabbas, in Marlowe's Rich Jew of Malta. The original source, however, to which both Shakespeare and the ballad-maker were indebted was undoubtedly the Pecorone of Giovanni Fiorentino, which was printed in Italy in the year 1544.

USURY.—The laws on the subject of usury and trusts grew up during the White and Red Rose troubles, in consequence of frauds growing out of the times. Usurers live, sayes one, by the fall of heires, like swine by the dropping of acorns.

ANECDOTE OF A USURER.—M. L——, the famous usurer, during his illness frequently fell into fainting fits, which exhibited the appearance of immediate dissolution. His friends, by great attention, and by calling in very able physicians, for some time protracted his life, and procured to the patient symptoms of returning health. One of these his confessor thought a good opportunity of reminding the sick man of his approaching fate. To effect this pious intention, he presented before the eyes of the expiring usurer a silver crucifix. M. L—— surveyed the cross with minute attention, and suddenly exclaimed, "Sir, I can lend you but a small sum on such a pledge."—*Giles Menage.*

The following verses are not amiss on an old, avaricious usurer :—

En vain tu mets du rouge, avare Léonore,
Ce fard n'empêche pas ton jaune de paroître.
Mais faut-il s'étonner qu'une esclave de l'or
Porte la couleur de son maître ?

Clara, your toil is lost; nor white, nor red,
Can hide the jaundice o'er your visage spread.
Well with your soul those golden tints accord,
For yellow is the livery of your Lord !

Tam deest avaro quod habet, quam quod non habet. (*Syrus*). The usurer is as much in want of that which he has as of that which he has not.

The usurer, trembling, lock'd his chest ;
The vision frown'd, and thus address'd :
"Whence is this wild, ungrateful rant,
Each sordid rascal's daily cant ?
Did I, base wretch ! corrupt mankind ?
The fault's in thy rapacious mind.

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Because my blessings are abused,
Must I be censured, cursed, accused ?
E'en virtue's self by knaves is made
A cloak to carry on their trade ;
And power when lodged in their possession,
Grows tyranny and rank oppression.
Thus, when the usurer crams his chest,
Gold is the canker of the breast :
'Tis avarice, insolence, and pride,
And every shocking vice beside.
But when to virtuous hands 'tis given,
It blesses, like the dews of heaven :
Like heaven, it hears the orphan's cries.
Gorg'd with more plunder, yet still gaunt for spoil,
Rapacious Gideon fastens on our isle ;
Insatiate Lascelles, and the fiend Vanneck,
Rise on our ruins, and enjoy the wreck ;
While griping Jasper glories in his prize,
Wrung from the widow's tears and orphan's eyes."

These men were a gang of usurers who, scorning the narrow views of private usury, found means to lay a whole state under contribution, and pillage a kingdom of immense sums under the protection of the law.

Poet : What ! join a crew that pilfer one another,
Betray my friend, and persecute my brother ;
Turn usurer o'er cent. per cent. to brood,
Or quack, to feed, like fleas, on human blood ?
Friend : Or, if thy soul can brook the gilded curse,
Some changeling heiress steal—
Poet : Why not a purse ?
Two things I dread, my conscience and the law.
Smollett.

PARIS USURERS.—The usurers of Paris lend on every pledge the fifth part of its value, deducting at the same time five per cent. per month interest, and then asking you to give pin-money for their wives, which is to consist in watches, rings, &c. (1804).

EPITAPH ON A USURER.—
Thin in beard, and thick in purse,
Never man beloved worse ;
He went to the grave with many a curse,
The devil and he had both one purse.

USURY.—Now every merchant comes here to London

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like lean kine, to grow fat by devouring the trade and merchants of the outports : but when they grow rich they purchase lands and go into the country ; or else give over their trade, and turn usurers, as most of the Aldermen of the City do. It is manifest how the trade of our outports is decayed by the decay of the port towns and havens.—*Sir D. Digges.*

> Your usurer that in the hundred takes twenty—
> Who wants in his wealth, and pines in his plenty,
> Lays up for a season which he ne'er shall see,
> The year of one thousand eight hundred and three ;
> His wit, and his wealth, his law, learning, and sense,
> Shall be turned into nothing a hundred years hence.

THE DOCTRINE OF MONKBARNS.—On the origin of imprisonment for civil debt in Scotland may appear somewhat whimsical, but was referred to, and admitted to be correct, by the Bench of the Supreme Court on the 5th of December, 1828, in the case of Thom *v.* Black. In fact, the Scottish law is in this particular more jealous of the personal liberty of the subject than any code in Europe.

THIEVES' VINEGAR.—So called because during the great Plague of London in the year 1666 four thieves, availing themselves of the public calamity, took the opportunity to plunder the houses of the dead and dying ; yet, notwithstanding, they escaped the infection themselves. On its being inquired into, it was found that they carried about them sponges of prepared vinegar, which preparation apothecaries adopted in all infections, and sold under the denomination of "thieves' vinegar."

ENACTMENTS.—If approved, the Lord Keeper of the Great Seal answers for the Sovereign in these French words, "Le Roy le veult," and then it becomes law, good or bad ; but if refused, the answer returned is, "Le Roy s'avisera," and the business passeth no further.

PERTH.—The power of trying criminal cases of the most serious kind, and inflicting punishment of the law, was granted by Robert III. to the magistrates of Perth, and was frequently exercised by them, as the records of the town abundantly prove.

A DEODAND.—Any moving thing which occasions the death of a man is forfeited to the lord of the manor. It was originally intended that he should dispose of it in acts of

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charity: hence the name "deodand," meaning a thing given, or rather forfeited to God for the pacification of His wrath, in the case of misadventure. The Crown frequently granted this right to individuals, within certain limits, or annexed it to lands, by which it became vested in the lord of the manor.

TICKLING.—A lawyer, now deceased, a legal wag, was pleading before a Scotch judge. Happening to have a client, a female of the name of Tickle, defendant in an action, he commenced his speech in the following strain: "Tickle my client, the defendant, my lord." The audience, amused with the oddity of the speech, were almost driven into hysterics by the judge replying, "Tickle her yourself, Harry; you are as able to do it as I."

A CLIENT'S GRATITUDE.—Daniel O'Connell, when at the Irish Bar, received the following instance of a client's gratitude. He had obtained an acquittal, and the man, in the ecstasy of his joy, exclaimed, "Och, counsellor, I've no way here to show yer honour my gratitude, but I wish I saw you knocked down in my own parish, and may be I wouldn't bring a faction to the rescue!"

MARITIME LAWS.—About which there have been so many legal disputes, have often led to violent acts, and even to war (*Engellrecht*); maritime honours have also given rise to much judicial disputation. Almost all the powers salute by the odd numbers, as 3, 5, 7, &c. Sweden only salutes by the even numbers.

A FABLE.—A gentleman that had a suit in Chancery was called upon by his counsel to put in his answer, for fear of incurring a contempt. "Well," says the client, "and why is not my answer put in then?" "How should I draw your answer," saith the lawyer, "without knowing what you can swear?" "Hang your scruples," says the client again; "pray do your part of a lawyer, and draw me a sufficient answer: and let me alone to do the part of a gentleman, and swear it."—*Sir R. L'Estrange.*

MR. SHERIDAN.—While on his death-bed, a sheriff's officer had arrested him. Such were the laws of England, even in those fearful agonies when the soul is about to quit this mortal frame. He was carrying him off in his blankets to a vile sponging-house, had not the physician threatened the man of law with the responsibility which he would incur if the prisoner died upon the road.

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PORT WINE.—At the assizes at Warwick an inn-keeper was once tried for nearly poisoning some of his customers with some infamous port wine. He escaped the penalties of the law by proving that there had never been one drop of real port wine in the hogshead.

FEOFFMENT.—9th April (1429), 8 Henry VI., from John Fevreby, Esq., and Margery his wife, to the prior and convent of the House of the Salutation of the Blessed Mary, of the order of Carthusians, near the City of London, of the spring in the mead called Overmead, in Iseldon, to make a conduit of water therefrom, and a certain piece of land there, rendering thereby to them and the heirs of the aforesaid Margery, 12*d.* yearly for all services.

EXECUTION EXPENSES.—The expenses of burning a witch amounted to ninety-two pounds fourteen shillings. The unfortunate old woman cost two trees, and employed two men to watch her closely for thirty days.—*Arnott's "Scot's Trials."*

A CRUSADE.—The foulest and most inhuman action of this proceeding was the destruction of funeral monuments. Marbles which covered the dead were digged up and put to other uses, tombs hacked and hewn in pieces; images broken, erased, and dismembered; inscriptions or epitaphs, especially if they began with an Orate pro animæ, or concluded with Cujus animæ propitiatur Deus, for greediness of the brass; or, for that they were thought to be anti-Christian, pulled out from the sepulchres and purloined; dead carcasses, for gain of their stone or leaden coffins, cast out of their graves, notwithstanding this request, cut or engraven upon them, Propter misericordiam Jesu requiescat in pace.

SLAVERY.—Both laws and morals as regarding slavery are better in Cuba than in Jamaica. "But what a melancholy spectacle is that of Christian and civilized nations discussing which of them has caused the fewest Africans to perish in three centuries, by reducing them to slavery!"—*Humboldt.*

THE SAILOR WHO HAD SERVED IN THE SLAVE TRADE.—In September, 1798, a dissenting minister, of Bristol, discovered a sailor in the neighbourhood of that city, groaning and praying in a hovel. The circumstance that occasioned his agony of mind was caused by having flogged a woman slave.

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One woman sulkier than the rest,
Would still refuse her food.
O Jesus God! I hear her cries,
I see her in her blood!

The captain made me tie her up,
And flog while he stood by,
And then he curs'd me if I staid
My hand to hear her cry.

She groan'd, she shriek'd, I could not spare,
For the captain he stood by.
Dear God! that I might rest one night
From that poor woman's cry!

She twisted from the blows—her blood,
Her mangled flesh I see,
And still the captain would not spare—
Oh, he was worse than me!

QUARTER.—Harrison, the preaching "colonel" in the Parliament Army, was notable for having put to death, after quarter was given by others, using these words in doing it—"Cursed be he who doeth the work of the Lord negligently" (*Dr. South*). Sir Charles Lucas and Sir George Lisle were executed after quarter was given them by General Fairfax.

VENETIAN SCHOLARSHIP.—One day at Venice a counsellor quoted, in his pleadings, the Institutes of Justinian and Clement, by the usual titles of Novella and Clementina.* The judge, who was unlearned in the law, and who kept two mistresses of the same names, cited by the counsellor, and who was afraid that they might be called into court, objected to them as persons of bad character.

* Clementina, Decretals of Pope Clement, enacted in the Council of Vienna. Novella, 168 vols. of the Civil Law, added to the Codex by Justinian.

WEEDS.—As early as the time of Alexander II of Scotland, a man who let weeds go to seed on a farm was declared to be the king's enemy. In Denmark, farmers are compelled to destroy all weeds on their premises. In France a man may prosecute his neighbour for damages who permits weeds to go to seed which may endanger neighbouring lands.

A TRIAL AFTER A LAWYER'S OWN HEART.—In a trial at the Assize Court (Catania), the number of prisoners

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amounted to 112, and 1510 witnesses were summoned for the prosecution and defence. The court-house was too small for the occasion, so the trial was held in the Benedictine Church.

SOLON.—The next lawgiver after Draco, repealed all his bloody enactments, except those which concerned murder, called *φονικοὶ νόμοι*. Solon's laws were called Νόμοι, to distinguish them from Draco's Θεσμοὶ. Tully observes, most laws owe their first original to the Athenians.

THE LAST DEBT.—

"Oh, let me die in peace!" Eumenes cried
To a hard lawyer at his bedside.
"How die!" roared he; "thus the law evade!
No, no, sir, you shan't die till I am paid."

A SPECIMEN OF CURRAN'S WIT.—A witness having sworn that as he was returning at a late hour from a supper-party he was assaulted by Curran's client, the counsel, in his cross-examination, asked him "if the number of eggs that composed his supper was not more than that of the Graces, and equal to that of the Muses? if he did not drink a little coarse claret at dinner by way of foundation, to keep the claret out of the wet? if he did not swallow a squib after dinner, by way of Latin for his goose? and if, after his foundation of white wine, with a superstructure of claret, a stratum of nine eggs, a pint of porter, and a super-cargo of Geneva punch, his judgment was not a little under the yoke?"

THE PRIDDLES.—Were two attorneys, father and son. Lord Mansfield used to say to the father, "Don't read your affidavit, Mr. Priddle; we give the same credit to what you say as we do to what you swear." Priddle, sen. got possession of a house belonging to the Crown, and was with much difficulty dispossessed. The Treasury solicitor went to take possession, upon which Priddle, sen., said, "If you take the house, you shall take all that's in it. Poor Mrs. Priddle died a day or two ago; she lies a corpse upstairs in bed, and there I shall leave her. If you have the house, you shall have her also." The Treasury solicitor took possession of the house and of her, and Priddle, sen., rejoiced in saving the expenses of burying his departed spouse.

MR. SERJEANT HILL.—In defending a client, cited seventy-eight cases, and after the court had given its decision in the

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matter, the judges, among whom was Lord Mansfield, asked his private opinion on the subject. The Serjeant wished to be excused, but, after much pressure, said "he did not think it possible that there were four men in the world who could have given such an ill-founded judgment as you four, my lord judges, have pronounced."

ALSATIA.—Whitefriars, once a place privileged from arrests for debt, as was also the Mint; but suppressed on account of the notorious abuses committed there.

SIR FLETCHER NORTON.—In examining a sailor, said, "You affect to be a very clever fellow, quite a wit!" "To be sure I do," says the sailor, "I am quite an educated one." "You well educated! why where," said Sir Fletcher, "were you educated?" "At the university," said the sailor. "University!" replied Sir Fletcher, "at what university could you be educated at!" "Why," said the sailor, "at the university you were expelled from for your impudence—Billingsgate."

CRUMP.—One who used to help solicitors to affidavit men, or false witnesses. "I wish you had Mrs. Crump," a Gloucestershire saying, in answer to a wish for anything; implying you must not expect any assistance from the speaker.

LORD NORBURY.—An attorney in Dublin having died exceedingly poor, a shilling subscription was set on foot to pay the expenses of his funeral. Most of the attorneys and barristers subscribed. One of them applied to Norbury (then Mr. Toler). "Only a shilling," said Toler, "only a shilling to bury an attorney! There is a guinea—go and bury twenty-one of them."

EPIGRAM ON A LAWYER.—

With greater grief none doth entertain,
Than wretched Chrysalus, he sighs amain,
Not that he dies, but 'cause much cost is spent
Upon the sexton and his regiment.
The jovial ringers, and the curate must
Have his fee too, when dust is turn'd to dust,
And which is greater than the former sum,
He'll pay an angel for a Moor-stone tomb.

LORD ELDON.—Was no legislator. His one aim in politics was to keep in office, and to maintain things as he found them, and almost the only laws he helped to pass were laws

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for popular coercion. For nearly forty years he fought against every improvement in law, or in the constitution, calling God to witness on the smallest proposal of reform, that he foresaw the downfall of his country. Without principles of any kind, he kept himself in place by opposing every species of reform and declaiming against the Catholics. His judgments were as uncouth and clumsy as his person.

EPIGRAM ON A JUDGE.—

Were I to choose a captain, I would than,
Not choose your courtier, or a youthful man ;
No, I would choose a judge, one grim and grave,
To make a captain such a man I'd crave ;
Give me that man whose frowning brow is death,
I, such a one as can kill men with breath.

MR. JUSTICE B.—Was slightly volatile. He condemned a boy to death at Lancaster, and with the hope of frightening him, he ordered him for execution next morning. The judge awoke in the middle of the night, and was so affected by the notion that he might die before morning, and the boy be hanged, though he only passed the sentence by way of a joke, that he got out of his bed, went to the lodgings of the High Sheriff, and left a reprieve for the boy, and then returning to his bed, spent a very pleasant night.

ON A THIEF.—

A thief condemned for a heinous crime,
Was for to lose his tongue at the same time,
But he the court entreats with feigned tears,
To spare the tongue, and cut off both his ears.
To this the judge and all the bench agreed,
And for the executioner sent with speed ;
Who being come, and searching there was found
No ears, but hairs, at which all laughed around.
Saith the judge, Thou hast no ears. Sir (quoth the wight),
Where there is nought, the king must lose his right.

LORD THURLOW'S HOUSE.—He built one in the neighbourhood of London. Now, he was first cheated by his architect, and then he cheated himself, for the house cost more than he expected ; so he would never go into it. As he was coming out of the Queen's drawing-room, a lady whom he knew stopped him, and asked when he was going into it. "Madam," said he, with his well-known politeness, "the Queen has just asked me that impudent question, and as I would not tell her, I will not tell you."

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LAWYERS AND SOLDIERS.—

If lawyers had for term, a term of war,
Soldiers would be as rich as lawyers are ;
But here's the difference between guns and gowns,
These take good angels, th' other take crackt crowns.

EPIGRAM ON A MAN WHOSE CHOICE WAS TO BE HANGED OR MARRYED.—

Lo, here's the bride, and there's the tree,
Take which of these best liketh thee,—
The choice is bad on either part,
The woman's worst, drive on the cart.

A REPORT.—It was said of an eminent lawyer, now dead :—

"When facts were weak, his native cheek
Brought him serenely through."

A BRYDPORT DAGGER.—Stabbed with a Brydport dagger —that is hanged. The best hemp, for the quantity of ground, is grown about Brydport, a market-town in Dorsetshire.

HE HAS STUDIED AT WHITTINGTON'S COLLEGE.—That is, he has been confined in Newgate, which, says Maitland, was rebuilt A.D. 1423, according to the will of Sir Richard Whittington. In Newgate there was a room called Tangiers, whence a debtor confined there was called a Tangerine.

SLAVES.—This name was never erst couthe til that Noe sayd that his sone Cham should be thrall to his brethren for his sinne (*Chaucer*). There are no slaves in England ; one may be a villain but not a slave (2 *Salk.* 666). There were two kinds of villains in England, one termed a villain in gross, who was immediately bound to the person of the lord and his heirs, the other, a villain regardant to a manor, being bound to his lord as a member, and belonging and annexed to a manor where the lord was owner.

EPITAPH UPON JOHN FELTON, WHO WAS HUNG IN CHAINS AT PORTSMOUTH FOR KILLING THE DUKE OF BUCKINGHAM.—

Here uninterred suspends, though not to save
Surviving friends the expenses of a grave,
Felton's dead earth, which to the world must be
His own sad monument, his elegy
As large as fame, but whether bad or good
I say not, by himself was writ in blood,

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For with his body thus entomb'd in air,
Arch't o'er with heaven, set with thousand fair
And glorious diamond-stars ; a sepulchre
Which time can never ruinate, and where
Th' impartial worm, which is not brib'd to spare
Princes when wrapt in marble, cannot share
His flesh, which oft the charitable skies
Embalm with tears doing those obsequies
Belonging to men, shall last till pitying fowl
Contend to reach his body to his soul.

THE WALEIS.—Wallace was taken prisoner at the second battle of Dunbar, in 1305, was drawn and afterwards hanged in London on the eve of St. Bartholomew, Aug. 24th, 1306. The places to which his quarters were sent were Newcastle, Berwick, Bath, and Aberdeen, as a warning to all the gentlemen who were in Scotland.

THE PUNISHMENT OF DEATH.—In 1810, 30th May, a Bill was brought under the consideration of the Lords to abolish the punishment of death in cases of privately stealing to the amount of five shillings in a shop. Lord Ellenborough and the Lord Chancellor opposed the Bill, which by their instrumentality was lost by a majority of thirty-one against eleven.

LORD THURLOW.—An attorney stating a person named in an affidavit was dead, Thurlow said, "How do I know that?" "My lord," replied the attorney, "I attended the funeral ; he was my client." "Why, sir," said Thurlow, "did not you mention that at first? A great deal of time and trouble might have been saved. That he was your client is some evidence that he may be dead. Nothing was so likely to kill him."

THE HIGH COURT OF CHANCERY.—Is incontestably the most dilatory, as well as the most expensive ever invented by lawyers. Delay of justice is said to be the denial thereof. "Justitiæ procrastinatio ejusdem fit abnegatio."

A TAX ON ATTORNIES.—Alderman Watson, when bathing in the West Indies, had the misfortune to lose a leg by the bite of a shark. Some years afterwards, when he and Wilkes were both in the House of Commons and a tax upon attornies was proposed, Alderman Watson spoke strongly in favour of the tax, and inveighed bitterly against attornies in general. Somebody asked Wilkes what made his brother alderman so severe upon attornies. "Why," said Wilkes,

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"my brother alderman was bitten by a shark when he was young and has never forgiven it."

JUDICIAL TOLERANCE.—On the Catholic Emancipation Bill Lord Eldon said, "if he had a voice that would resound to the remotest parts of the Empire, he would re-echo the principle, which he most firmly believed, that if ever a Roman Catholic was permitted to form part of the Legislature of this country, or to hold any of the great executive offices of the Government, from that moment the sun of Great Britain would set!"—*House of Lords*, 5th Feb., 1829.

THE ENGLISH COURT OF CHANCERY.—Is the only remnant left of a system happily exploded in Europe; a remnant of the monkish inquisitional law, with the exception perhaps of some insignificant courts in Sicily and Spain. In this country it is still administered with all the alloy of its Norman original. The Norman conquest was not complete until Norman lawyers had introduced their laws and reduced everybody to legal slavery.

CROMWELL.—The Court of Chancery evaded all his attempts for its reform, and has remained ever as a gulf for the reception of impurity, absorbing many of those undefined rights which were exercised by the Star Chamber and similar institutions of arbitrary power.

SIR MATTHEW HALE.—In his family he was not happy. His sons disgraced themselves by their profligate lives and in the decline of life he himself married one of his own servants.

THE POPES.—In the same way as the Court of Chancery rode over the Common Law of England, so the Popes rode over the regal power of independent sovereigns.

LOUIS THE FOURTEENTH.—Reduced all the laws of France into two small volumes that one might carry in one's pocket, called "Code de Louis des Affaires de Terre." A man's pockets to hold the English law-books must be larger than Westminster Hall, and then they would not contain them.

AN APHORISM.—In free states the trouble, expense, and delays of judicial proceedings are the price every subject pays for his so-called liberty.—*Montesquieu.*

NICETIES.—

Between two hawks, which flies the highest pitch,
Between two dogs, which hath the deeper mouth,

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Between two blades, which hath the better temper,
Between two horses, which doth bear him best,
Between two girls, which hath the nicest eye,
I have, perhaps, some shallow spark of judgment;
But in these nice sharp quillets of the law,
Good faith, I am no wiser than a daw.

A LAWYER'S SKULL.—Why may not that be the skull of a lawyer? Where be his quiddits now, his quillets, his cases, his tenures, and his tricks? Why does he suffer this rude knave now to knock him about the sconce with a dirty shovel, and will not tell him of his action of battery? Humph! this fellow might be in's time a great buyer of land, with his statutes, his recognizances, his fines, his double vouchers, his recoveries. Is this the fine of his fines, and the recovery of his recoveries, to have his fine pate full of dirt? Will his vouchers vouch him no more of his purchases, and double ones too, than the length and breadth of a pair of indentures? The very conveyances of his lands will hardly be in his box, and must the inheritor himself have no more? Ha!

Hor. Not a jot more, my lord.

Ham. Is not parchment made of sheep-skins?

EPITAPH UPON ONE WHO DIED IN PRISON.—

Reader, I liv'd, inquire no more,
Lest a spy enter in at door;
Such are the times, a dead man dare
Not trust nor credit common air.
But die, and lye entombed here
By me, I'll whisper in thine ear
Such things as onely dust to dust
And without witness may entrust.

THE RETINUE OF A MINISTER.—Formerly foreign ministers were never accompanied by their wives; this custom was introduced in the seventeenth century, along with or soon after perpetual embassies. It is well known how decidedly it is now established. In 1649 the ambassador of France in Holland jeered the Spanish ambassador for having his wife with him, observing "that he was an hermaphrodite ambassador."

COURT OF EXCHEQUER.—Persons were frequently dragged into this court without knowing their offence, when it was committed, or who was the informer. In the case of Mr. Waithman, a pocket-handkerchief was brought into his house,

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not worth three shillings, by a person in his employ, at the solicitation of a friend in the country. An information was laid against him, and a penalty of 200*l.* demanded, which was afterwards softened down to 100*l.*, as a particular favour to the worthy alderman.

EPITAPH ON MR. BANKS, AN ATTORNEY.—

Banks feels no lameness of his knotty gout,
His money travels for him in and out;
And though the soundest legs go every day,
He toils to be at hell as soon as they.

AMENDMENT OF THE LAW.—In the reign of Queen Anne, this subject attracted much attention. "There are two things of a public nature which deserve the care of Parliament; the one must begin in the House of Lords, and the other in the House of Commons. The law of England is the greatest grievance of the nation, very expensive and dilatory. There is no end of suits, especially when they are brought into Chancery."—*Burnet.*

VULGAR ERRORS.—It was supposed to be penal to open a coal-mine, or to kill a crow within five miles of London; as also to shoot with a wind-gun, or to carry a dark lantern. To these may be added, that if a criminal be hung and revives, he cannot afterwards be executed; that a funeral passing over any place makes a public highway; that pounds of butter may be made of any number of ounces; that leases are made for the term of 999 years, because a lease for 1000 years would create a freehold; and that deeds executed on a Sunday are void.

AN AGREEABLE SURPRISE.—The inconvenience of suffering small debts to be recovered in the superior courts of Westminster, is thus quaintly expressed in the law language of the day: "Mes en ceux matters nous doiomus aver greinder regard al benefit del publick que al enlargement de nostre jurisdictions, car si c'est action giseroit, la serroit nul remedy en effects pur petits debts en les superior courts, le attorney par le Plt. sovent foits recover le debt, et receive l'argent, mes quand le plt. expect d'aver l' argent del attorney, en lieu de ceo il receive un Bill de son attorney per que ouster le debt receive il est debtor a son attorney; issint que il avoit estre mieux pur luy d'avoir perde son debt, pluis toft que a prendre ceo remedy.—*Lutwyche*, 1570.

EPITAPH ON A FAT ATTORNEY.—

Fat folks we say by nature are most free:
You and your purse are fat, and yet I see

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Your hand, and that still shut, the reason's this:
In costive flesh thy lean soul buried is.

SUMPTUARY LAWS.—That lawyers should not wear great "bryches" in their hoses, made after Dutch and Spanish fashion; that no great ruff should be worn, nor any white colour in doublets or hozen, nor any facing of velvet in gowns; that they should not walk the streets in their cloaks; that no hat or long curled hair be worn; nor any gowns but such as were of a sad colour.

ADVICE TO A SCRIVENER.—

Think who, when you cut the quill,
Wounded was, yet did no ill;
When you mend me, think you must
Mend yourself, else you're unjust;
When you dip my nib in ink,
Think on him that gall did drink;
When the ink sheds from your pen,
Think who shed his blood for men;
When you write, but think of this,
And you ne'er shall write amiss.

WEIGHING A WITCH.—At Wingrave, in Buckinghamshire, as recently as the year 1739, a case occurred of the old popular witchcraft trial before the magistrate, by weighing her against the church Bible. The old woman's name was Susannah Hameokes.

A LADY'S AGE.—Judge: "How old are you?" Witness (a lady): "Thirty." Judge: "Thirty! I have heard you give the same age in this court for the last three years." Witness: "Yes; I am not one of those persons who say one thing to-day, and another to-morrow."

LEGAL REFORM.—Lawyers oppose improvement, from the same motives that workmen oppose the introduction of machinery. They are apprehensive it would lessen their employment. The cart-load of legendary rubbish they profess to expound is doubtless very profitable to them, but a serious loss and inconvenience to the community.—*Bentham.*

ROBBING A SCOTCH LAWYER.—A Scotch attorney being attacked by three highwaymen, defended himself with great courage and obstinacy, but was at last overpowered and his pockets rifled. The robbers expected, from the extraordinary resistance they had experienced, to lay their hands on some

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rich booty; but were not a little surprised to discover that the whole treasure which the legal Caledonian had been defending at the hazard of his life, consisted of no more than a crooked sixpence! "The deuce is in him," said one of the rogues; "if he had had eighteenpence, I suppose he would have killed the lot of us."

SINGULAR TENURES OF LAND.—*Walter Gately* (19th Henry III.) held the Manor of Westcourt, Beddington, Surrey, yielding yearly to the king one crossbow.

Osbonn de Lonchamp held his lands of Ovenhelle, Kent (3rd Edward I.), for personally guarding the king forty days into Wales at his own expense, with one horse of five shillings value, one sack worth sixpence, and one broch (a pot, jug, or basin) for that sack.

Henry de Avering's (13th Edward I.) tenure of land of the Manor of Morton in Essex, was to find a man, and a horse worth ten shillings, a leather sack, and four horse-shoes.

Another held his manor in Norfolk of the same king, by annually supplying him at his exchequer with two vessels (called mites) of wine, made of permains; it is worth observing that in King Edward I.'s time Permain cyder was called wine.

Eld, Countess of Warwick (13th Edward I.), held the Barony of Hokenerton, Oxfordshire, in the Barony of D'Oyly, by the serjeanty of carving at the king's table on his birthday, and she to have the knife the king then used at table. Horns were a favourite form of transferring estates, *e.g.* Ulphas' horn, made of ivory, and now preserved in the vestry of the Church of York; the bugle-horn of Sir William Stanley, at Streton in Cheshire (1124), conveying to him the bailiwick of the Forest of Wirrall; Mr. Foxlow's horn, the Bostal horn, the Pusey horn, and many others.

AN ASSAULT UPON EMERSON, CONSTABLE OF ST. BRIDE'S, FLEET STREET.—The aggressor was a woman of the Hibernian race, who, being in spirits, was bawling out, "Wilkes and liberty!" Mr. Constable apprehended her, and she defended herself according to the pugilistic system. Her defence on her trial was pithy and to the point. "May it please your worships' honours; I was going home, right quietly, with nobody with me but myself; and just as I was singing out praises for the dare creature Wilkes, that black-looking dog took the liberty to take me up; and so, d'ye

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see, ain't please your honours' worships, I took the liberty of breaking the fellow's head, and shure that was nothing at all." The court fined her a shilling, which she paid, observing that it was a cheap row to break an English constable's head for a "tirteen." In Ireland, formerly, a shilling passed for thirteen pence.

SPECIAL PLEADING.—The absurdities of which are enough to make an idiot laugh; a drizzling maze of empyrical inventions, circuitous procedure, and unintelligible fiction, calculated for no purpose but to fortify monopoly and wrap Justice in deceit and mystery.

TRIAL BY ORDEAL.—This absurd practice was held formerly in high esteem. The chief modes were by fire, by water, by walking blindfold among heated ploughshares, and by swallowing consecrated bread. The last, styled by Muratori the "judicium panis et casei," and introduced about the time of Pope Eugene, was simple enough. A piece of bread or cheese, of about an ounce in weight, was blessed by the priest, and given to the accused person, who was to try and swallow it, after first praying to the Almighty that it might choke him, cause convulsions, and paleness, if he were guilty.

MURDER AND THE TOUCH ORDEAL.—On the trial of Philip Standsfield, for the murder of his father, in Edinburgh, this superstition was carried out to its full absurdity.

GAME LAWS.—The citizens of London enjoyed, in former times, an exemption from these laws; King Henry I. granted them a charter, in which are these words, "And the citizens of London may have their chases to hunt, as well and fully as their ancestors have had (that is to say), in Chiltrie, Herts, and in Middlesex, and in Surrey.

LAW.—Surely no man in his senses would deliberately embark in law. How many instances do we see of the lawyers swallowing up the whole property! It is better for a man to submit to an injury than to be stripped of all he has in the world, as is but too frequently the case.

THE DRUNKARD'S CLOAK.—In the time of the Commonwealth, the magistrates of Newcastle-upon-Tyne punished drunkards by making them put a tub over their heads with holes in the sides for the arms to pass through, called "the Drunkard's Cloak," and thus walk through the streets of the town.—*Gardiner.*

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THE LAST ENGLISH GIBBET.—In March, 1856, the last gibbet in England was demolished by the workmen employed by the contractors making docks for the North-Eastern Railway Company upon the Tyne. The person who was gibbeted at that place was a pitman, convicted at the Durham Midsummer Assizes of 1832.

A STRANGE PRACTICE.—Was common to all executions at Newgate till after the beginning of this century. A number of persons were, at each execution, 'rubbed for wens,' as it was called; men, women, and children afflicted with them, were introduced within the body of the vehicle of death, and elevated so as to be seen by the populace, within a few minutes after the convicts had been turned off. The patients were then indulged with a choice of culprit. The hands of the corpse selected were untied by the executioner, and applied to the parts affected.

TRIAL BY JURY.—Trial by twelve compurgators, which was of canonical origin, existed in Anglo-Saxon times, and only resembled what is known as trial by jury in the number of persons sworn. Trial by jury was first adopted in criminal cases in the reign of King John (A.D. 1189-99).

LORD ELLENBOROUGH.—Received about 9000*l.* per annum from law sinecures derived from his father the Chief Justice. The latter, according to the writers in the Law Magazine, was partial to red herrings; as much so, seemingly, as Judge Jefferies to home-brewed, with which he was caught tippling in a cellar at Wapping, after perpetrating his cruelties in the West of England.

AN UNPLEASANT MACHINE.—Derrick, the hangman, whose real name was Theodrick, gave his name first to the gallows itself and then to a crane.

CHILDERIC.—The dethronement of Childeric by Pepin, and the unlawfulness of the elevation of Charlemagne to the Empire of the West, in exclusion of the Greek emperors, has given rise to more legal disputes than most subjects.

PATERNITY OF SIR THOMAS MORE.—His grandfather was first butler and afterwards steward at Lincoln's Inn; and John More, junior, who was also butler there, was his father; hence the judicious silence of his biographers on these points.

LADIES' LAW.—Where the husband makes a settlement of his property on the marriage, he has sometimes the right to

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receive the income of the property, paying thereout a certain allowance called "pin-money" during the marriage, and after his death the property goes to the eldest son or other children, subject to a rent charge or annuity, called the wife's jointure. The law of marriage settlements is very complicated and abstruse, and provides a great deal of grist for the chancery mill. The longer and the more unintelligible they are, the better for the lawyers.

BARRISTERS.—England is not the only country where the legal profession is overdone. Hungary swarms with barristers. It is the ambition of the Hungarian peasant to make one of his sons an advocate, as it is the ambition of the Breton and the Irish peasant to make one son a priest. It is related of the son of a small farmer near Pesth, who was sent to the law school of that town, but who, either from the want of parts or application was plucked in the qualifying examination, that not daring to return home empty-handed after all the money that had been spent upon his education, he forged a legal diploma. The father was not, however, so ignorant as not to be aware that such diplomas are always written on dogskin parchment in Hungary. "Why is your certificate not made out on dogskin?" asked the old man. "The fact is," replied the youth, "there are more barristers than dogs in Hungary, and so there is not enough dogskin to make diplomas for us all."

OXEN.—One of the ancient laws of Greece was, that no oxen should be killed under pain of death. By the laws of Ram, so much regarded in Greater India, to kill oxen was strictly forbidden. At Madura this was a crime also punished with death.

SERJEANT COCKLE.—Who was a rough, blustering fellow, once got from a witness more than he gave, In a trial of a right of fishery, he asked a witness, "Do you like fish?" "Aye," replied the witness, with a grin, "but I donna like Cockle sauce with it."

ABUNDANCE OF LAWYERS.—Plato made it a great sign of an intemperate and corrupt commonwealth where lawyers did abound; and the Romans distasted them so much that they were banished out of their city, and, as Pliny and Celsus relate, for 600 years not admitted.

MR. JUSTICE ASHURST.—Was remarkable for his lank and sallow physiognomy.

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Judge Ashurst with his lanthorn jaws,
Throws light upon the English laws.

Erskine.

HEIRS.—Among the ancient Greeks, certain magistrates had right to the estates of such as died without lawful heirs.

Adverse to all the troubles of a wife,
Wedlock he loath'd, and led a single life;
But now, when bowing age his limbs have seiz'd,
Justly he wants, whom he before despis'd:
He dies at last, and his remoter friends
Share his possessions.

Hesiod.

MENES.—Without doubt was the first legislator of Egypt, because he was the first to put his laws into writing (*Diod.*). This lawgiver pretended to receive his laws from Mercury, and the Egyptians regarded Mercury as the inventor of hieroglyphic writing.

TITLE-DEEDS.—Are difficult to read, disgusting to touch, and impossible to understand.—*Lord Westbury.*

PUBLIC NOTARIES.—In Egypt those who had forged false deeds, or who added anything to or suppressed any part of the writings they had received to copy, were condemned to have both their hands cut off.

A JUSTICE OF THE PEACE.—Being angry with a pilfering knave, said, "Sirrah, if thou dost not mend thy manners, thou wilt be shortly hanged, or else I will be hanged for thee." The bold knave replied, "I thank your Worship for that kind offer, and I beseech your Worship not to be out of the way when I shall have occasion to use you."

LAWS OF BURIAL.—It may, perhaps, be interesting to know that a husband is bound to bury his deceased wife, but that in strict law a widow is not bound to bury her deceased husband.

WARHAM, COUNTY OF DORSET.—By the custom of Warham, in the county of Dorset, both males and females have a right equally in the partition of lands and tenements. Tenementa in Warham sunt partabilia inter masculos et fœminas," says the record.

AN IRISHMAN'S WILL.—An Irish gentleman about to die childless directed his solicitor to leave all his money to the

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elder son of his brother, and if he had no elder son, to the second.

EUROPEAN LAWS OF NATURALIZATION.—England has no right to reproach her neighbours on this score, seeing that she has been the worst offender of all; for while she has insisted upon claiming authority over every individual born under the shadow of her flag, whatever the individual's parentage might be, she has with audacious inconsistency denied the right of any other Government to the allegiance of the offspring of British subjects born on its soil.

THE COMMON BARRETER.—A barreter is a horse-leech that only sucks the corrupted blood of the law. He trades only on its tricks and quirks; his highway is in by-paths, and he loveth a cavil better than an argument, an evasion than an answer. There be two kinds of them: either such as fight themselves, or are trumpeters in a battle, to set on others. The former is a professed dueller in the law, that will challenge any, and in all suit-combats be either principal or second.—*Fuller.*

PHILIPPIC.—An invective, a name given to the orations of Demosthenes against Philip of Macedon. Cicero, the lawyer, copied them, with unpleasant results to himself, for his head was cut off and stuck up on the very place where he had delivered them.

GENTOO LAW.—This law sums up the feminine character with great acrimony of satire: "Women have five qualities, the first, an inordinate desire for jewels and fine furniture, handsome clothes and nice victuals; the second, violent anger; the third, deep resentment; the fourth, another person's goods appear evil in their eyes; fifth, they commit bad actions."

A PETTIFOGGER.—Is an undercoat to the long robe, a kind of a coarse jacket, or dirty draggled skirt and tail of the long robe. His business is, like a spaniel's, to hunt and spring contention for the long-winded buzzards to fly at. He is a fast friend to all courts of justice, but a mortal foe to justice herself. He is a kind of law-Hector, that lives by making quarrels between man and man, and prosecuting or compounding them to his own advantage.

ORDEAL.—Comes from the Anglo-Saxon "ordal," and signifies judgment. At this day, when a culprit is arraigned

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at the bar, and asked how he will be tried, he is directed to answer, "By God and my country," that is by the verdict or solemn opinion of a jury. "By God" only, would formerly have meant the "Ordeal," which referred the case immediately to the Divine judgment.

SLAVES.—Were put to death by crucifixion, a mode of punishment which continued to be inflicted until the time of the Emperor Constantine, who abolished it after the death of the Founder of Christianity. "Pœnas persolvit cruce." —*Phædrus.*

MARY COOLE.—At York, in 1705, was convicted of parricide. In her defence she boldly asserted that her crime was no worse than that of the Parliament of England, who destroyed the king their father, or of the queen, who had permitted hers to die in exile. She was deprived of her tongue and hand, and condemned to the stake.

THE PRACTICE OF PERJURY.—A country woman at an assize was to take her oath against a party. The said party entreated the judge that her oath might not be taken. The judge demanded why he excepted against her. "My lord, she is a Recusant, or Roman Catholic, and they hold it no matter of conscience to swear anything against us." "Come hither, woman," said the judge, "I do not think you are a Recusant; I am persuaded that for forty shillings you will swear the Pope is a knave." "Good, my lord," said she, "the Pope is a stranger to me; but if I knew him as well as I know your lordship, I would swear for half the money.

LAW AND FORCE.—There is no difference between a government that is managed by law and one that is maintained by force, but that the one oppresses with words and forms, and the other in a rugged way.

LAWS AGAINST THE JEWS.—The King (John) demanded of a particular Jew in Bristol, no less than 10,000 marks of silver, a prodigious sum in those days, which he resolutely denied him. He commanded one of his great teeth to be pulled out daily till he consented. The Jew, whose money was his life, had courage to hold out seven operations, but then sinking under the violence of the pain, ransomed the remainder of his teeth at the price demanded. The whole sum extorted from the Jews by legal appliances at this time amounted to three score thousand marks of silver.—*Tovey's Anglia Judaica.*

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BRITISH STATUTES.—Their style is a disgrace to the nation in the eyes of Europe. Take a book of these laws in one hand, take a book of French, or Austrian, or Prussian law in the other: without understanding a syllable of any one of the languages, a man may see enough to satisfy him that in the structure of the three last, the ends of language are aimed at; in the other, ends opposite to the ends of language.

CONSISTENCY.—The man of law is not consistent in anything—not even in rapacity. Where, at the instance of a defendant, the plaintiff is to be examined, they will not suffer it to be done without a cause or purpose; where, at the instance of a defendant, another defendant is to be examined, it may perhaps not have occurred to them to discover the same impediments.

L'ENVOY.—

The task is ended, and aside we fling
The musty books tied up with legal string;
And so good-night, since we our say have said,
Shut up the volume and proceed to bed;
And dream, dear reader, of a future, when
A lawyer may shake hands with you again.

FINIS.

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